



**Study Session Agenda  
City of Council Bluffs, Iowa  
December 18, 2017, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

A. Review Agenda

**Executive Session**

A. Pending Litigation



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting December 18, 2017, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. CONSENT AGENDA**

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the November 27, 2017 City Council Meeting Minutes.
- C. Resolution 17-278  
Resolution accepting the work of Trafficware Group, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Kaneshville Boulevard (US Hwy 6) Traffic Adaptive Signal Control. Project # FY15-20A.
- D. Mayor's Appointments
- E. November 2017 Financial Reports

**4. PUBLIC HEARINGS**

- A. Ordinance 6315  
Ordinance to amend the zoning map as adopted by reference in Section 1.02.070, by rezoning property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of the U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, from A-2/Parks, Estate and Agricultural District to C-2/Commercial District as defined in Chapter 15.15. (Location: The northwest corner of the intersection at South 35th Street and U.S. Highway 275.)
- B. Resolution 17-279  
Resolution approving the plans, specifications, form of contract and the cost estimate for the Bass Pro Shop Parking Lot Repair Project.
- C. Resolution 17-280  
Resolution to dispose of City property legally described as Lots 10 through 12, Block 1, Oak Grove Addition. (Location: 27 Grove Street)

- D. Resolution 17-281  
Resolution to dispose of City property legally described as Former Railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa.  
(Location: Adjacent to 1401 South 16<sup>th</sup> Street.)
- E. Resolution 17-282  
Resolution to vacate and dispose of that part of Skyline Drive lying North of Hawthorne Court and abutting Lot 1, Timbercrest First Addition and Lot 2, Referee's Subdivision of the South one-half of the NE 1/4 SW 1/4 of Section 31-75-43, City of Council Bluffs, Pottawattamie County, Iowa.  
(Location: West of 800 Hawthorne Court.)
- F. Resolution 17-283  
Resolution to vacate and dispose of a thirty foot-wide by a one hundred and seven foot-long section of South 14th Street right-of-way lying South of West Broadway and abutting properties at 25 South 15th Street and 15 South 14th Street, City of Council Bluffs, Pottawattamie County, Iowa. (Location: Abutting 25 S. 15th St. and 15 S. 14th St.)
- G. Resolution 17-284  
Resolution to apply for FY 2017 statewide federal capital assistance through the Iowa DOT for the purchase of new vehicles for the Special Transit Service.
- H. Resolution 17-285  
Resolution authorizing and approving partial release of easement and a release of easement for the sanitary sewer line on the Safe & Sound Storage, Inc. (Location: 1911 Rue Street)

**5. RESOLUTIONS**

- A. Resolution 17-186  
Resolution assessing the unpaid costs of weed abatements against property.
- B. Resolution 17-287  
Resolution authorizing the Mayor to execute an offer to buy properties located at 1319 and 1321 5th Avenue. (Location: 1319 and 1321 5th Avenue)
- C. Resolution 17-288  
Resolution authorizing the Mayor to execute an offer to buy property located at 1212 17th Avenue, owned by Elvin Griffis (deceased), legally described Lots 9 and 10 and the East 1/2 of the vacated alley abutting on the West and the West 1/2 of the vacated alley abutting on the East lying South of the Railroad. (Location: 1212 17th Avenue)
- D. Resolution 17-289  
Resolution to eliminate one Assistant Chief position and create a position of Deputy Chief (Fire Marshal) within the Council Bluffs Fire Department.

- E. Resolution 17-290  
Resolution approving the Calendar Year 2018 Budget for the Council Bluffs Water Works.
- F. Resolution 17-291  
Resolution approving the Annual Financial Report year ending June 30, 2017.
- G. Resolution 17-292  
Resolution approving Change Order #3 adding \$17,100.00 to the contract amount for the Levee Certification Project, Geotechnical MR\_2. Project # FY 16-06A.
- H. Resolution 17-293  
Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Gethsemane Gardens, LLC for Workforce Housing Tax Incentive Program (WHTIP) benefits on Lots 7 and 8, Gethsemane Gardens, Replat 1 and Lots 7 and 8, Gethsemane Gardens, Replat 2. (Location: west of Manawa Drive, along Wallace Avenue).
- I. Resolution 17-294  
Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Gethsemane Gardens, LLC for Workforce Housing Tax Incentive Program (WHTIP) benefits on Lots 9 and 10, Gethsemane Gardens, Replat 1 and Lots 9 and 10, Gethsemane Gardens, Replat 2. (Location: west of Manawa Drive, along Wallace Avenue)
- J. Resolution 17-295  
Resolution confirming the appointment of Jon Finnegan as the City's Representative to engage in collective bargaining negotiations with the Communications Workers of America employees.

**6. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

- A. Liquor License Renewals
  - 1) 712, 1851 Madison Avenue
  - 2) Applebee's, 3000 Dial Drive
  - 3) Hy-Vee #2, 1745 Madison Avenue
  - 4) IWCC, 2700 College Road
  - 5) Speedy Gas N Shop, 430 South 35th Street, Suite 1
  - 6) The Grass Wagon, 110 South 29th Street
  - 7) Walmart, 1800 N 16th Street
- B. Cigarette Permits (1)

**7. CITIZENS REQUEST TO BE HEARD**

- A. Shirley Lindner - 4835 Navajo

**8. ADJOURNMENT**

DISCLAIMER:

*If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 328-4616, by 5:00 p.m., three days prior to the meeting.*



## City Council Meeting Minutes November 27, 2017

### CALL TO ORDER

A regular meeting was called to order by Matthew J. Walsh on Monday November 27, 2017 at 7:00 p.m.  
Council Members Present: Al Ringgenberg, Nate Watson and Sharon White. Melissa Head and Roger Sandau via telephone.  
Staff Present: Jodi Quakenbush and Richard Wade.

### CONSENT AGENDA

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the November 13, 2017 City Council Meeting Minutes.

#### Resolution 17-260

Resolution of intent to vacate a thirty foot-wide by a one hundred and seven foot-long section of South 14th Street right-of-way lying South of West Broadway and abutting properties at 25 South 15th Street and 15 South 14th Street and setting a Public Hearing for December 18, 2017 at 7:00 p.m.. (Location: Abutting 25 South 15th Street and 15 South 14th Street)

#### Resolution 17-261

Resolution of intent to vacate that part of Skyline Drive lying North of Hawthorne Court and abutting Lot 1, Timbercrest First Addition and Lot 2, Referee's Subdivision of the South 1/2 of the NE1/4 SW1/4 of Section 31-75-43 and setting a Public Hearing for December 18, 2017 at 7:00 p.m. (Location: West of 800 Hawthorne Court.)

#### Resolution 17-262

Resolution of intent to dispose of City property legally described as Lots 10 through 12, Block 1, Oak Grove Addition, and setting a Public Hearing for December 18, 2017 at 7:00 p.m. (South of 27 Grove Street.)

#### Resolution 17-263

Resolution of intent to dispose of City property legally described as former railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, and setting a Public Hearing for December 18, 2017 at 7:00 p.m. (Location: Adjacent to 1401 South 16th Street)

Resolution 17-264

Resolution accepting the work of Carley Construction, LLC as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the CBAC Avenue J Reconstruction. Project #PW17-21.

Resolution 17-265

Resolution on the plans, specifications and form of contract on the Bass Pro Shop Parking Lot project and setting a Public Hearing for December 18, 2017 at 7:00 p.m.

October 2017 Financial Reports

Receive & File Items

Claim, Right of Redemption, Offers to Buy & IDOT Letters

Al Ringgenberg and Nate Watson moved and seconded approval of consent agenda. Unanimous, 5-0 vote.

**PUBLIC HEARINGS**

Resolution 17-244

Resolution authorizing the Mayor and City Clerk to execute an electric easement in connection with the installation of electric facilities by MidAmerican Energy Company. (Continued from 11-13-17)

Sharon White and Nate Watson moved and seconded approval of Resolution 17-244. Unanimous, 5-0 vote.

Resolution 17-266

Resolution to dispose of City property legally described as the West 20 1/3 feet of Lot 10 and the East 24 2/3 feet of Lot 11, Block 15, Omaha Addition. (Location: formerly 3033 6th Avenue)

Nate Watson and Al Ringgenberg moved and seconded approval of Resolution 17-266. Unanimous, 5-0 vote.

Resolution 17-267

Resolution to dispose of City property legally described as Lots 13 through 15, Auditor's Subdivision of part of Lot 4, NE1/4 NW1/4 and part of Lot 1, NW1/4 NW1/4 all in Section 30-75-43. City of Council Bluffs, Pottawattamie County, Iowa. (Location: Adjacent to 115 Norton Avenue.)

Sharon White and Al Ringgenberg moved and seconded approval of Resolution 17-267. Unanimous, 5-0 vote.

Resolution 17-268

Resolution to approve the plans, specifications and form of contract for the Iowa Department of Transportation IMN-029-3(211)54-0E-78, Phase 2 Project for realignment of Dodge Riverside Golf Club project.

Al Ringgenberg and Nate Watson moved and seconded approval of Resolution 17-168. Unanimous, 5-0 vote.

**ORDINANCES ON 1ST READING**

Ordinance 6315

Ordinance to amend the zoning map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15-02-070 of the 2015 Municipal Code of Council Bluffs, Iowa, by rezoning property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of the U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, from A-2/Parks, Estate and Agricultural District to C-2/Commercial District as defined in Chapter 15.15. (Location: The northwest corner of the intersection at South 35th Street and U.S. Highway 275.)

Nate Watson and Al Ringgenberg moved and seconded approval of first consideration of Ordinance 6315. Unanimous, 5-0 vote.

A Public Hearing is scheduled for December 18, 2017 at 7:00 p.m.

**ORDINANCES ON 2ND READING**

Ordinance 6314

Ordinance to amend Title 9 Traffic, Chapter 9.34 Emergency Snow Routes of the 2017 Municipal Code of Council Bluffs, Iowa, by amending Section 9.34.030 Emergency snow routes established.

Al Ringgenberg and Sharon White moved and seconded approval of second consideration of Ordinance 6314. Unanimous, 5-0 vote.

Nate Watson and Sharon White moved and seconded approval of Motion to waive third consideration. Unanimous, 5-0 vote.

**RESOLUTIONS**

Resolution 17-269

Resolution authorizing the Mayor and City Clerk to enter into an agreement and award contract to MMC Contractors for the Bass Pro Shop Roof Top Unit Replacement Project.

Sharon White and Nate Watson moved and seconded approval of Resolution 17-269. Unanimous, 5-0 vote.

Resolution 17-270

Resolution authorizing a refund credit of overcharged permit fees to Questa LLC associated with air conditioning and heating equipment in the calculation of electrical permit fees for Industrial and Large Commercial with Valuation of \$5,000,000 or more.

Sharon White and Nate Watson moved and seconded approval of Resolution 17-270. Unanimous, 5-0 vote.

Resolution 17-271

Resolution authorizing the Mayor to execute the order accepting the acknowledgment/settlement agreements from the following businesses for violations of Iowa Code Section 453A.2(1): Bucky's Express #19, 1839 Madison Avenue; Bucky's Express #34, 3501 W. Broadway; Dollar General Store #1574, 2731 E. Kaneshville Blvd.; D&S Xpress, 1220 North 25th Street; Kum & Go #220, 2024 5th Avenue; Super Quik Stop, 2800 Twin City Drive.

Nate Watson and Sharon White moved and seconded approval of Resolution 17-271. Unanimous, 5-0 vote.

Resolution 17-272

Resolution accepting the bid of Valley Corporation in the amount of \$885,355.82 for the Levee Certification Project, Drainage MR\_2. Project # PW17-06B.

Al Ringgenberg and Nate Watson moved and seconded approval of Resolution 17-272. Unanimous, 5-0 vote.

Resolution 17-273

Resolution authorizing the Mayor to execute the order accepting the acknowledgment/settlement agreement from Andrew's Lounge & Car Wash, 1210 North 25th Street for violation of Iowa Code Section 453A.2(1)

Nate Watson and Al Ringgenberg moved and seconded approval of Resolution 17-273. Unanimous, 5-0 vote.

Resolution 17-274

Resolution authorizing the purchase of emergency generator equipment and services in the amount of \$119,135 for the Police Department Headquarters project. Project# PD18-01.

Sharon White and Al Ringgenberg moved and seconded approval of Resolution 17-274. Unanimous, 5-0 vote.

Resolution 17-275

Resolution accepting the bids of Midwest Storage Solutions in the amount of \$279,820 to provide storage equipment and services for the Police Department Headquarters project. Project# PD18-01.

Al Ringgenberg and Nate Watson moved and seconded approval of Resolution 17-275. Unanimous, 5-0 vote.

Resolution 17-276

Resolution accepting the bid of Pay-Less Office Products in the amount of \$518,261 to provide furniture and services for the Police Department Headquarters project. Project# PD18-01.

Sharon White and Nate Watson moved and seconded approval of Resolution 17-276. Unanimous, 5-0 vote.

Resolution 17-277

Resolution authorizing the Mayor and City Clerk to enter into an agreement and award contract to Anderson Construction for the Council Bluffs Fire Station #6 Renovation project.

Sharon White and Al Ringgenberg moved and seconded approval of Resolution 17-277. Unanimous, 5-0 vote.

**APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Cigarette Permits (2)

Liquor License Renewals

1) Hy-Vee #2 Clubroom, 1745 Madison Avenue

2) Oskies for Sports, 1851 Madison Avenue

3) Woods Sporting Goods, 531 Veterans Memorial Highway

Nate Watson and Sharon White moved and seconded approval of Applications for permits and cancellations 8A & 8B 1-3, inclusive. Unanimous, 5-0 vote.

**CITIZENS REQUEST TO BE HEARD**

Heard from Jerry Waltrip, Carter Lake Mayor.

Heard from Bruce Kelly, 864 McKenzie Avenue, requesting a bike trail.

Heard from Ron Cumberledge, Carter Lake Mayor Elect.

**OTHER BUSINESS**

Nate Wtson reminded everyone that there is just one December Council Meeting on December 18, 2017 at 7:00 p.m.

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:33 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

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Matthew J. Walsh, Mayor

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Attest: Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: FY15-20A  
Submitted by: Matthew Cox, City  
Engineer

Resolution 17-278

Council Action: 12/18/2017

### Description

Resolution accepting the work of Trafficware Group, Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control. Project # FY15-20A.

### Background/Discussion

The Iowa DOT offers a federal funding program called Iowa's Clean Air Attainment Program (ICAAP). The program funds projects which help maintain Iowa clean air quality by reducing transportation-related emissions. The program funding allows up to 80% federal dollars with a minimum 20% local match.

The Kanesville Traffic Adaptive Signal Control project involved new traffic signal control equipment and software. The signals previously had set times of day, day of week timing plans. Based on typical traffic flows during specific times of the day and week, signal plans were developed, which handled that assumed traffic flow. These plans did not recognize real time traffic demands. The new adaptive signal control system adjusts signal coordination for real time traffic demands. The project installed new signal control systems on Kanesville Boulevard from North Avenue to 16<sup>th</sup> Street.

For the purpose of vendor selection and procurement, the City entered into Agreement No. 2016-16-001 with the DOT that combines City Project FY 15-20A, Kanesville Boulevard Traffic Adaptive Signal Control with DOT Project No. IMN-029-3(155)54--0E-78 for Traffic Adaptive Signal Control along South Expressway as part of the interstate improvements.

Combining the two projects ensured the adaptive signal control technologies were the same for both corridors for the benefit of future operations and maintenance of the systems.

The project was included in the FY15 CIP as ICAAP Project, FY15-20A, Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control. The Iowa DOT paid \$28,625 of the \$314,500 for the South Expressway portion of the project.

Original Contract Amount	\$314,500.00
Final Contract Amount	\$314,500.00
Less Previous Payments	\$305,800.00
Retainage Due Contractor	\$8,700.00

This project is a two-step project which includes the adaptive signal control technology and the traffic detection equipment. The traffic detection project is now nearly complete with a cost of \$294,357.

The ICAAP grant provides federal funding in the amount of \$389,000 for the combined project. The City's match for the project will be paid using sales tax funds.

The Contractor finished the project on time and did not receive any non-compliance notices.

**Recommendation**

Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-278	Resolution	12/12/2017

**RESOLUTION  
NO 17-278**

**RESOLUTION ACCEPTING THE WORK OF  
TRAFFICWARE GROUP, INC. IN CONNECTION WITH  
KANESVILLE BOULEVARD (US HWY 6) TRAFFIC ADAPTIVE SIGNAL CONTROL  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$8,700.00  
PROJECT #FY15-20A**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Trafficware Group, Inc., Sugar Land, TX for the Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$8,700.00 to Trafficware Group, Inc. has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$8,700.00 constitutes a valid obligation of the City and should in its best interest be paid.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications.

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$8,700.00 payable to Trafficware Group, Inc. from budget code Division VI, G21600-676800; Project #00537.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues

ADOPTED  
AND  
APPROVED December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Mayor's Appointments

Council Action: 12/18/2017

### Description

#### Background/Discussion

To: Members of City Council  
From: Mayor Matt Walsh  
Date: December 8, 2017  
Re: Appointments for December 18, 2017 City Council Meeting

With City Council concurrence, I would like to make the following appointments:

#### **CITY PLANNING COMMISSION**

Appoint the following with term expiring 04/01/2022:

Peter Hutcheson  
161 Norton Circle  
(402) 980-5525

#### **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Reappoint the following with terms expiring 12/31/2021:

Mary Lastrup  
351 Woodland Drive  
(712) 256-8713

Kathryn Schlott  
1019 Arbor Ridge Circle  
(712) 328-9688

#### **HISTORIC PRESERVATION COMMISSION**

Reappoint the following with terms expiring 12/31/2020:

Ed Cain  
26 Indian Hills Road  
(C) 402-598-8763

Roxanne Johnson  
2025 Hunt Avenue  
(W) 712-322-1673

Sally Madsen  
534 Oakland Ave  
(W) 712-323-0235

**LOCAL BOARD OF HEALTH**

Reappoint the following with terms expiring 12/31/2020:

Dr. Barbara Lee  
21515 Greenville Road  
(H) 712-323-1735  
(W) 712-256-7387

Kirk Madsen  
2660 Avenue J  
(H) 712-328-9558  
(W) 712-325-1717

**PUBLIC ART COMMISSION**

Reappoint the following with term expiring 06/25/2020:

Machaela Morrissey  
Member at Large  
156 ½ West Broadway Street  
(402) 968-5208

**Recommendation**

## City of Council Bluffs

### Receipts by Fund

For the Month of November 2017

General Fund	5,082,786.30
Special Revenue	2,709,945.70
Debt Service	537,772.81
Capital Project	2,623,350.91
Enterprise	1,174,968.68
Total Revenue	<u>12,128,824.40</u>

### Expenditure by Fund

For the Month of November 2017

General Fund	5,157,107.35
Special Revenue	1,932,359.73
Debt Service	0.00
Capital Project	6,081,573.86
Enterprise	723,610.51
Total Expense	<u>13,894,651.45</u>

VENDOR	DESCRIPTION	AMOUNT
A & A LAWN AND LANDSCAPING LLC	MOWING/GROUNDS MAINT	\$1,110.00
A & D TECHNICAL SUPPLY COMPANY	SUPPLIES	\$369.60
A ASON OKORUWA D/B/A	CONSULTANT	\$1,750.00
ABM ONSITE SERVICES-MIDWEST INC	JANITORIAL SERVICE	\$2,119.00
ACTION BATTERIES UNLIMITED INC	SUPPLIES	\$1,084.25
ACTION CONCRETE MATERIALS	CONTRACTURAL SVC	\$240.00
ADVANCE SERVICES, INC	CONTRACT LABOR /STREETS	\$4,051.14
AFSCME IOWA COUNCIL 61	DUES EMPLOYEE	\$2,277.50
AGRILAND F S INC	SUPPLIES	\$56.45
AGRIVISION EQUIPMENT GROUP	EQUIPMENT/PARTS	\$588.41
ALEGENT HEALTH	MEDICAL SUPPLIES	\$2,000.00
ALEXA MCDOWELL	PROFESSIONAL SVCS	\$582.71
ALICE M REIMAN	REFUND	\$281.42
ALICE MAE PIERCY	REFUND	\$325.90
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	RIVER'S EDGE COMMUNITY BLDG	\$6,384.95
ALVINE AND ASSOCIATES INC	PUMP REPLACEMENT	\$3,850.00
AMERICAN CONCRETE PRODUCTS COMPANY	STREET MAINTENANCE SUPPLIES	\$172.90
AMERICAN CRANE & RIGGING LLC	CONTRACTURAL SVC	\$665.00
AMERICAN LAND TITLE COMPANY	PROFESSIONAL SVCS	\$557.50
AMERICAN MESSAGING SERVICES LLC	TELEPHONE	\$13.24
AMERICAN NATIONAL BANK	BANK SERVICES	\$94.35
AMERICAN PLANNING ASSOCIATION	DUES/MEMBERSHIP	\$1,218.00
AMERIPRIDE SERVICES INC	UNIFORMS	\$535.83
AMIE GORDON	REFUND	\$5.99
ANNA HARTMANN	TRAVEL REIMBURSEMENT	\$135.62
AQUA-CHEM INCORPORATED	SUPPLIES	\$195.00
ARNOLD MOTOR SUPPLY LLP	EQUIPMENT/PARTS	\$2,309.20
ARROW TOWING	TOWING/STORAGE/AUCTION	\$10,660.00
ASPHALT AND CONCRETE MATERIALS CO	STREET MAINTENANCE SUPPLIES	\$4,158.43
B & K MECHANICAL CONTRACTORS LLC	REPAIRS, INDIAN CREEK FORCE MAIN	\$14,400.00
BAKER & TAYLOR INC	BOOKS/PERIODICALS/SUB	\$14,502.92
BARKER LEMAR AND ASSOCIATES INC	ENGINEERING	\$1,010.00
BARNHART CRANE AND RIGGING CO	CONTRACTURAL SVC	\$1,700.00
BARTON SOLVENTS INCORPORATED	SUPPLIES	\$4,263.00
BAUM HYDRAULICS CORP	EQUIPMENT/PARTS	\$1,107.99
BGNE	SUPPLIES	\$671.88
BH MEDIA GROUP HOLDING INC	ADVERTISEMENT	\$4,714.84
BILL'S WATER CONDITIONING	SUPPLIES	\$89.00
BISHOP BUSINESS EQUIPMENT COMPANY	SUPPLIES	\$2,574.20
BLACK HILLS UTILITY HOLDINGS INC	NATURAL GAS	\$4,791.43
BLUFFS ELECTRIC INC	ELECTRICAL REPAIR	\$13,421.65
BLUFFS PAVING & UTILITY INC	E HILLS DR SEGMENT, PW17-16A CONSTRUCTION	\$57,136.90
BLUFFS TAXI & COURIER	PROFESSIONAL SVCS	\$586.75
BMC SOFTWARE INC	HARDWARE/SOFTWARE	\$1,544.20
BOMGAARS SUPPLY INC	SUPPLIES	\$679.95
BOO, INC.	EQUIPMENT/PARTS	\$1,672.33
BOOKPAGE	SUBSCRIPTION	\$528.00
BOUND TO STAY BOUND BOOKS INC	BOOKS/PERIODICALS/SUB	\$3,442.36
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	\$1,485.51
BRAVIUM LLC	LEADERSHIP SESSIONS/DESIGN & FACILITATION	\$15,160.00
BRETT GOEHRING	TREE AND BRUSH SPRAYING	\$17,510.00
BRIAN JANS	MOWING/GROUNDS MAINT	\$1,452.75
BUCKS INC	VEHICLE WASH	\$197.00
C & A INDUSTRIES INC	CONTRACT LABOR	\$1,536.00
C & J INDUSTRIAL SUPPLY	JANITORIAL SERVICE	\$517.20
C J FUTURES INC	MOWING/GROUNDS MAINT	\$2,875.00
CABB INC	JANITORIAL SERVICE	\$3,311.33
CANON FINANCIAL SERVICES INC	LEASE	\$654.36
CANON SOLUTIONS AMERICA INC	COPY/PRINTER MAINTANCE	\$688.00
CARLEY CONSTRUCTION LLC	S 1ST ST NEIGHBORHOOD REHAD, AVE J RECON	\$130,078.28

CARROLL DISTRIBUTING & CONSTRUCTION	EQUIPMENT/PARTS	\$697.38
CBJ CONSTRUCTION CO INC	FIRST RESPONDERS PROJECT	\$38,471.00
CENGAGE LEARNING INC	BOOKS/PERIODICALS/SUB	\$755.79
CENTER POINT LARGE PRINT	SUPPLIES	\$197.55
CERTIFIED POWER INC	EQUIPMENT/PARTS	\$192.43
CFI TIRE SERVICE	TIRE REPLACEMENT/REPAIR	\$969.00
CHAMPLIN TIRE RECYCLING INC	TIRE DISPOSAL	\$3,829.50
CHILD SUPPORT SERVICES DIVISION	GARNISHMENT	\$514.32
CHRISTINE D ANDERSON	TRAVEL REIMBURSEMENT	\$43.34
CHRISTOPHER J RUHAAK	CONTRACTURAL SVC	\$368.50
CLEAR TITLE & ABSTRACT LLC	PROFESSIONAL SVCS	\$75.00
COLLECTION SERVICES CENTER	GARNISHMENT	\$7,281.32
COMMERCIAL AIR MANAGEMENT INC	EQUIPMENT/PARTS	\$4,673.84
COMPASS UTILITY LLC	E MANAWA SEWER REHAB PH VI	\$272,230.60
COMPUTER CABLE CONNECTION	HARDWARE/SOFTWARE	\$5,442.35
CONDUENT INCORPORATED	MOBILE RESPONSE SOFTWARE, SYS SUPPORT	\$21,955.50
CONRECO INC	SUPPLIES	\$1,258.00
CONSOLIDATED ELECTRICAL DISTR, INC	SUPPLIES	\$7,238.77
CORNERSTONE PRINTING & IMAGING	PRINTING/BINDING	\$785.32
CORNHUSKER TRUCKS ACCT #10747	EQUIPMENT/PARTS	\$7,119.08
COUNCIL BLUFFS AIRPORT AUTHORITY	AIRPORT AUTH TAX	\$54,477.92
COUNCIL BLUFFS CHAMBER OF COMMERCE	CONTRACTURAL SVC	\$40.00
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	QUARTERLY PAYMENT	\$150,000.00
COUNCIL BLUFFS WATER WORKS	WATER	\$8,270.38
COUNCIL HITCH SERVICE INC	EQUIPMENT/PARTS	\$296.00
COX COMMUNICATIONS	PHONE/INTERNET SVC	\$20,420.43
CRAIG KEYSOR	CONTRACTURAL SVC	\$3,875.00
CREDIT CARD CHARGES	FEES	\$6,604.41
CUMMINS CENTRAL POWER, LLC	EQUIPMENT/PARTS	\$2,483.18
CUSTOM AUTO REBUILDERS	VEHICLE REPAIR	\$1,857.91
CWA-DUES	DUES EMPLOYEE	\$1,105.98
CYPRESS BENEFIT ADMINISTRATORS	REFUND	\$431.20
D.M.G. INC	EQUIPMENT/PARTS	\$585.76
DANIEL ROBERTS	TRAVEL REIMBURSEMENT	\$62.49
DANKO EMERGENCY EQUIPMENT CO	SUPPLIES	\$887.85
DATA POWER TECHNOLOGY LLC	REPAIRS	\$509.00
DATABASE LLC	HARDWARE/SOFTWARE	\$2,600.00
DATASHIELD CORPORATION	CONTRACTURAL SVC	\$50.00
DAVID W WOODY	SUPPLIES	\$554.99
DAVIS EQUIPMENT CORPORATION	EQUIPMENT/PARTS	\$687.75
DEARREADER.COM LLC	HARDWARE/SOFTWARE	\$2,750.00
DEBORAH WHITE	FEES	\$25.00
DEMCO INC	SUPPLIES	\$1,103.54
DEX MEDIA EAST LLC	ADVERTISEMENT	\$75.78
DIAMOND MARKETING SOLUTIONS GROUP INC	SANITATION PRINTING & POSTAGE	\$11,259.63
DIAMOND OIL COMPANY	EQUIPMENT/PARTS	\$138.00
DONNA L TROUT	CONTRACTURAL SVC	\$400.00
DULTMEIER SALES	SUPPLIES	\$240.04
DUNCAN PARKING TECHNOLOGIES INC	EQUIPMENT/PARTS	\$5,398.06
DXP ENTERPRISES INC	EQUIPMENT/PARTS	\$3,806.53
E O REAL ESTATE	REFUND	\$153.03
EBS - FLEX ACOCUNT	EMPLOYEE CONTRIBUTION	\$14,796.82
ECHO ELECTRIC SUPPLY	TARGETED JOBS/ECON DEV GRANT	\$117,888.41
ECHO ELECTRIC SUPPLY	SUPPLIES	\$12,109.93
ED M FELD EQUIPMENT COMPANY INC	EQUIPMENT/PARTS	\$5,642.31
EDWARDS CHEVROLET-CADILLAC INC	EQUIPMENT/PARTS	\$600.85
EFTPS	EMPLOYEE TAXES	\$542,387.53
EHRHART GRIFFIN & ASSOCIATES INC	PROFESSIONAL SVCS SEWER PROJECTS	\$28,248.00
EIDE BAILLY LLP	FY17 AUDIT	\$18,000.00
ELECTRONIC TECHNOLOGY INC	12 PTZ CAMERAS	\$24,240.00
ELLIOTT AUTO SUPPLY COMPANY INC	SUPPLIES	\$1,873.30
EMSPACE INC	CONSULTANT	\$144.00
EMUNAH LLC	JANITORIAL SERVICE	\$8,156.50

ENDRESS + HAUSER	SUPPLIES	\$2,438.64
ENGINEERING TECHNOLOGIES INC	CONSULTANT	\$2,475.00
ENTERPRISE RENT A CAR MIDWEST	RENTAL EXPS	\$689.74
ERRIN KEITH GUNDERSON	CONTRACTURAL SVC	\$2,853.53
EXCEL PHYSICAL THERAPY INC	PROFESSIONAL SVCS	\$272.00
FASTENAL COMPANY	SUPPLIES	\$269.89
FIREFIGHTERS UNION #15	EMPLOYEE CONTRIBUTION	\$7,900.00
FIRST WIRELESS INC	EQUIPMENT/PARTS	\$1,056.00
FITCH-PREMEAUX WINDOW CLEANING INC	CONTRACTURAL SVC	\$125.00
FLOY A IRWIN	REFUND	\$307.62
FORSTA FILTERS INC	EQUIPMENT/PARTS	\$1,020.21
FRATERNAL ORDER OF POLICE	EMPLOYEE CONTRIBUTION	\$2,975.00
G I MOW LLC	MOWING/GROUNDS MAINT	\$1,718.57
GALLS INCORPORATED	EQUIPMENT/PARTS	\$1,004.66
GENERAL SERVICE BUREAU	CONTRACTURAL SVC	\$5.74
GENIE PEST CONTROL	PEST CONTROL	\$265.00
GENUINE PARTS COMPANY-NAPA	EQUIPMENT/PARTS	\$2,530.99
GIBBS RENTAL	RENTAL EXPS	\$432.40
GL ANKENY FORD LLC	VEHICLES	\$20,502.65
GRAHAM C JURA	TRAVEL REIMBURSEMENT	\$293.50
GREAT AMERICA FINANCIAL SERVICES CORP	LOAN PAYMENTS	\$555.45
GREAT PLAINS UNIFORMS	UNIFORMS	\$764.50
GREGORY A PETERSON CONSULTING INC	CONSULTANT	\$5,400.00
HAWKINS CONSTRUCTION COMPANY	W BROADWAY RECON SEG 1 CONSTRUCTION	\$716,283.95
HD SUPPLY FAC MAINTENANCE LTD	SUPPLIES	\$248.61
HDR ENGINEERING INC	PROF SVCS - LEVEE, RIVERS EDGE, WPC PLANT	\$34,534.15
HEARTLAND CO-OP	FUEL	\$152.00
HEARTLAND TIRES & TREADS INC	TIRE REPLACEMENT/REPAIR	\$4,486.19
HGM ASSOCIATES INC	PROFESSIONAL SVCS , MULTIPLE PROJECTS	\$183,358.36
HHH INC	SUPPLIES	\$315.17
HOEFER WYSOCKI ARCHITECTS, LLC	PROFESSIONAL SVCS CBPD	\$27,254.20
HOWARD SCARBERRY D/B/A	REPAIRS	\$880.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTION	\$9,965.52
INGERSOLL-RAND COMPANY	EQUIPMENT/PARTS	\$2,407.39
INLAND TRUCK PARTS COMPANY INC	EQUIPMENT/PARTS	\$7,413.80
INTERSTATE ALL BATTERY CENTER	SUPPLIES	\$96.20
IOWA ASSOC OF BUILDING OFFICIALS	DUES/MEMBERSHIP	\$190.00
IOWA ASSOC OF PROFESSIONAL FIRE CHIEFS	DUES/MEMBERSHIP	\$50.00
IOWA CHAPTER APWA	DUES/MEMBERSHIP	\$2,450.00
IOWA DEPARTMENT OF NATURAL RESOURCE	CONTRACTURAL SVC	\$134.00
IOWA DEPARTMENT OF REVENUE	GARNISHMENT	\$283.10
IOWA DEPT OF AGRICULTURE & LAND STWRDShP	CONTRACTURAL SVC	\$15.00
IOWA DEPT OF REVENUE	EMPLOYEE TAXES	\$117,999.00
IOWA DEPT OF TRANSPORTATION	CONSULTANT	\$2.00
IOWA DIVISION OF LABOR SERVICES	FEES	\$1,555.00
IOWA FINANCE AUTHORITY	LOAN PAYMENTS	\$62,430.00
IOWA ONE CALL	CONTRACTURAL SVC	\$1,554.90
IOWA PRISON INDUSTRIES	SUPPLIES	\$5,149.80
IOWA STATE UNIVERSITY	TRAINING	\$75.00
IOWA WORKFORCE DEVELOPMENT	UNEMPLOYEMENT	\$40.00
IP PATHWAYS LLC	HARDWARE/SOFTWARE	\$9,070.55
IPERS	RETIREMENT	\$185,942.17
J & L SERVICES	RENTAL EXPS	\$5,127.50
JAMES E HALL	DEMO CONTRACTURAL SVC	\$11,750.00
JAMES E PELOWSKI	CONTRACTURAL SVC	\$500.00
JAMIE N RUPPERT	TRAVEL REIMBURSEMENT	\$262.26
JCG LAND SERVICES INC	CONTRACTURAL SVC	\$2,534.81
JEBRO INCORPORATED	CONTRACTURAL SVC	\$30.00
JEFFREY T KOUBA	PROFESSIONAL SVCS	\$25.00
JEO CONSULTING GROUP INC	LEVEE CERTIFICATION CONSULTANT	\$6,575.00
JEREMY SMITH	CONTRACTURAL SVC	\$45.00
JIM HAWK TRUCK TRAILERS INC	EQUIPMENT/PARTS	\$2,287.21
JODI R QUAKENBUSH	TRAVEL REIMBURSEMENT	\$145.52

JOHN A & MARY H FILBERT	EASEMENTS	\$1,174.40
JONES AUTOMOTIVE INCORPORATED	VEHICLE EQUIPMENT/PARTS	\$12,085.55
KAMINSKY, SULLENBERGER & ASSOC INC	FTO SEMINAR/POLICE DEPT	\$7,625.00
KATHY A RIEGER	TRAVEL REIMBURSEMENT	\$605.62
KAY JAY ROLD	CONTRACTURAL SVC	\$248.00
KAY PARK RECREATION	EQUIPMENT/PARTS	\$1,601.60
KELLY'S CARPET	CBFD MATTRESSES	\$6,080.00
KEN BERES CONSULTING INC	CONSULTANT	\$625.00
KENNETH LOGHRY	MOWING/GROUNDS MAINT	\$1,310.00
KENNETH T MCCLURE	TRAVEL REIMBURSEMENT	\$18.91
KEVIN KLOCKE	2017 FORD F-450 LIFE LINE AMBULANCE	\$218,939.00
KONECRANES	CRANE REPAIR	\$4,494.00
KRIHA FLUID POWER COMPANY	EQUIPMENT/PARTS	\$649.91
LARRY CAMPBELL	BOOKS/PERIODICALS/SUB	\$27.96
LARSEN SUPPLY COMPANY INC	SUPPLIES	\$1,690.43
LAWN WIZARDS INC	MOWING/GROUNDS MAINT	\$15,833.35
LAWSON PRODUCTS INCORPORATED	SUPPLIES	\$787.91
LEAGUE OF HUMAN DIGNITY INC	GRANT REIMB BARRIER REMOVAL PROG	\$6,975.00
LEANN L HUGHES	TREE TRIMMING & REMOVAL	\$64,403.50
LEGISLATIVE SERVICES AGENCY	SUBSCRIPTION	\$40.00
LKQ MIDWEST AUTO	EQUIPMENT/PARTS	\$1,240.00
LOESS HILLS WOODWORKS INC	EQUIPMENT/PARTS	\$425.00
LORETTA GOESCHEL	TRAVEL REIMBURSEMENT	\$608.78
LORNA WOODS	REIMBURSEMENT	\$8.04
LOZANO BENJAMIN	TRAVEL REIMBURSEMENT	\$171.20
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$4,000.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$3,540.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$1,000.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$240.00
LYMAN RICHEY CORPORATION	CONCRETE	\$56,539.35
M & M STAFFING INC	CONTRACTURAL SVC	\$642.40
MARCO TECHNOLOGIES LLC	COPY/PRINTER MAINT, MITEL PHONE SYSTEM	\$34,173.92
MARK ARCHIBALD	TRAVEL REIMBURSEMENT	\$30.00
MARK WARNEKE	CONTRACTURAL SVC	\$1,705.00
MATHESON TRI GAS	WELDING SUPPLIES/SERVICE	\$310.15
MATTHEW BENDER & CO INC	SUBSCRIPTION	\$131.43
MATTHEW PECKHAM	CONCRETE SERVICES	\$10,445.00
MCKINNIS ROOFING & SHEET METAL INC	REPAIRS	\$1,191.26
MCMULLEN FORD INC	EQUIPMENT/PARTS	\$126.78
MECO-HENNE CONTRACTING INC	RIVERS EDGE PARK PH2 CONSTRUCTION	\$655,543.00
MENARDS	SUPPLIES	\$184.86
METROPOLITAN AREA PLANNING AGENCY	CONSULTANT	\$2,084.00
MFPRSI	EMPLOYEE CONTRIBUTION	\$439,437.17
MICHAEL O'BRADOVICH	CONSULTANT	\$3,000.00
MICHIGAN STATE DISBURSEMENT UNIT	GARNISHMENT	\$1,041.38
MID AMERICA CENTER	OPERATING EXPENSE	\$86,442.70
MID AMERICA GOLF AND LANDSCAPE INC	DODGE RIVERSIDE PH 1 CONSTRUCTION	\$69,873.00
MID AMERICAN SIGNAL INC	EQUIPMENT/PARTS	\$344.00
MID-AMERICA CLEANING SYSTEMS INC	EQUIPMENT/PARTS	\$916.28
MIDAMERICAN ENERGY	ELECTRICITY	\$107,282.37
MIDLAND SCIENTIFIC INC	SUPPLIES	\$349.06
MIDLANDS HUMANE SOCIETY	CONTRACTURAL SVC	\$6,455.10
MIDLANDS PRINTING & BUSINESS FORMS	PRINTING/BINDING	\$1,768.57
MIDSTATES BANK, NA	WORKMAN COMPENSATION	\$110,942.29
MIDSTATES BANK, NA	BANK SERVICES	\$54.17
MIDWEST FLOOR COVERING, INC	CB LIBRARY FLOOR REPLACEMENT	\$51,359.40
MIDWEST LABORATORIES INC	CONTRACTURAL SVC	\$940.00
MIDWEST MEDICAL & SAFETY INC	MEDICAL SUPPLIES	\$185.00
MIDWEST TAPE	DVD/AUDIO/CD	\$4,240.36
MIDWEST TURF & IRRIGATION	MOWING EQUIPMENT/PARTS	\$47,421.04
MILLS COUNTY SHERIFF'S DEPARTMENT	GRANT REIMBURSEMENT	\$6,003.00
MOBOTREX INC	SUPPLIES	\$3,102.03
MONROE TRUCK EQUIPMENT	2018 INTERNATIONAL EQUIPMENT/PARTS	\$119,187.98

MULTIPLE OPTIONS INC	HARDWARE/SOFTWARE	\$1,348.50
MUNICIPAL CODE CORPORATION	SUBSCRIPTION	\$1,130.13
MURPHY TRACTOR & EQUIPMENT CO CORP	EQUIPMENT SUPPLIES	\$5,531.31
NATHAN N SORENSEN	CONCRETE SERVICES	\$10,750.00
NATIONAL SAFETY COUNCIL	DUES/MEMBERSHIP	\$971.00
NATIONWIDE RETIREMENT SOLUTIONS INC	EMPLOYEE CONTRIB	\$62,291.22
NCH CORPORATION	SUPPLIES	\$398.05
NEBRASKA AIR FILTER INC	SUPPLIES	\$1,347.67
NEBRASKA CHILD SUPPORT PAYMENT CTR	EMPLOYEE CONTRIB	\$496.62
NEBRASKA DEPARTMENT OF REVENUE	GARNISHMENT	\$352.53
NEBRASKA EMERGENCY EQUIP & COLLISION REP	SAFETY EQUIPMENT	\$860.00
NEBRASKA MACHINERY COMPANY	EQUIPMENT INSPECTIONS/PARTS	\$4,448.00
NEBRASKA-IOWA SUPPLY CO INC	FUEL	\$1,706.40
NEW HORIZONS COMPUTER LEARNING CTR OF NE	HARDWARE/SOFTWARE	\$5,000.00
NEW VISIONS HOMELESS SERVICES	MOWING/GROUNDS MAINT	\$35,180.00
NEWSBANK INC	LIBRARY DATABASE HARDWARE/SOFTWARE	\$7,915.00
NODDLE DEVELOPMENT COMPANY	CONSULTANT FEES RIVERS EDGE DEV	\$8,333.33
OCLC NETLIBRARY	SUBSCRIPTION	\$2,294.76
OLD HWY 6 TRACTOR & EQUIPMENT INC	EQUIPMENT/PARTS	\$223.38
OLSSON ASSOCIATES	CBPD CONSULTANT	\$12,032.75
OMAHA COMPOUND COMPANY	SUPPLIES	\$48.68
OMAHA DOOR & WINDOW CO INC	REPAIRS	\$587.51
OMAHA NEON SIGN CO INC	CONTRACTURAL SVC	\$4,350.00
OMG MIDWEST INC	STREET MAINTENANCE MILLING	\$15,426.40
ONE SOURCE THE BACKGROUND CHECK CO	CONSULTANT	\$88.00
O'REILLY AUTOMOTIVE INC	SUPPLIES	\$8.58
OVERDRIVE INC	BOOKS/PERIODICALS/SUB	\$2,314.73
OVIVO USA LLC	BIOCURLZ CAGE RETROFIT	\$26,905.00
PASSPORT PARKING INC	PARK FEES	\$1,083.00
PATRICK TOSCANO	CONTRACTURAL SVC	\$232.50
PAUL E DAMROW	TRAVEL REIMBURSEMENT	\$197.16
PAYLESS OFFICE PRODUCTS INC	SUPPLIES	\$1,550.39
PAYPAL INC	CONTRACTURAL SVC	\$19.95
PAYROLL	EMPLOYEE PAYROLL	\$1,710,147.18
PEER SUPPORT FOUNDATION	TRAINING	\$300.00
PEERLESS WIPING CLOTH CO	SUPPLIES	\$568.00
PERSHING LLC	DODGE TRUST REIMBURSEMENT	\$1,633.94
PETROLEUM TRADERS CORPORATION	FUEL	\$53,676.01
PHYSIO CONTROL INC	EQUIPMENT/PARTS	\$1,308.11
PIPING RESOURCES	SUPPLIES	\$87.19
PITNEY BOWES CORPORATION	POSTAGE & LEASE COST	\$6,222.53
PLC	MOWING/GROUNDS MAINT	\$683.35
PORTABLE COMPUTER SYSTEMS INC	HARDWARE/SOFTWARE	\$1,093.75
POTTAWATTAMIE COUNTY AUDITOR	LAW ENFORCE COMPLEX, PRIMARY & ELECTION	\$84,847.45
POTTAWATTAMIE COUNTY RECORDER	FEES	\$134.00
POTTAWATTAMIE COUNTY SHERIFF	INMATE COST	\$17,850.00
PRIME COMMUNICATIONS INC	HARDWARE/SOFTWARE	\$15,673.18
PRO LABEL-DECAL BANNER CO	SUPPLIES	\$126.96
PROJECT ADVOCATES	CBPD CONTRACTURAL SVC	\$22,086.06
PROTEX CENTRAL INCORPORATED	CONTRACTURAL SVC	\$2,546.59
PROV.16:3 INC	SUPPLIES	\$560.66
QWEST CORPORATION	TELEPHONE	\$1,012.03
RACHEL HOLMES	REFUND	\$17.00
RACHEL STOLZ	TRAVEL REIMBURSEMENT	\$96.91
RASMUSSEN MECHANICAL SERVICE CORP	REPAIRS	\$672.25
REA B BLACKBURN	CONTRACTURAL SVC	\$200.00
RECORDED BOOKS LLC	DVD/AUDIO/CD	\$2,231.40
RED BRANCH MEDIA, INC	CONSULTANT	\$2,750.00
RED RIVER WASTE SOLUTIONS LP	REFUSE COLLECTION	\$280,005.33
REGENTS OF THE UNIVERSITY OF MINNESOTA	SUPPLIES	\$2,793.00
RELIANT FIRE APPARATUS INC	EQUIPMENT/PARTS	\$3,757.00
RESOURCE RENTAL CENTER INC	RENTAL EXPS	\$1,306.00
RHOMAR INDUSTRIES INC	SUPPLIES	\$564.03

RICHARD ROSAS	WELDING SUPPLIES/SERVICE	\$565.00
RICHARD WADE	TRAVEL REIMBURSEMENT	\$502.10
RICK IDEUS INC	CONTRACTURAL SVC	\$2,565.25
RICOH USA INC	EQUIPMENT/PARTS	\$80.64
RIVER'S EDGE PARKING LLC	RIVERS EDGE PARKING GARAGE LEASE	\$4,240,296.00
RIVERSIDE BUILDING MAINTENANCE INC	JANITORIAL SERVICE	\$1,071.00
RLKM INC	REPAIRS	\$434.93
ROAD BUILDERS MACH & SUPPLY CO INC	EQUIPMENT/PARTS	\$600.00
ROBIN K HAMMITT	CONSULTANT	\$400.00
ROSE EQUIPMENT INC	EQUIPMENT/PARTS	\$261.70
ROTARY CLUB OF COUNCIL BLUFFS	DUES/MEMBERSHIP	\$325.00
RPL UTILITY LLC	S 28TH ST STORM SEWER RECONSTRUCTION	\$87,259.00
RUETER & ZENOR CO	EQUIPMENT/PARTS	\$287.25
SAFETY GUARD INC	REPAIRS	\$4,525.00
SAFETY KLEEN CORPORATION	CONTRACTURAL SVC	\$150.00
SECURITY EQUIPMENT INCORPORATED	RIVERS EDGE SECURITY SYSTEM	\$24,686.65
SHERWIN WILLIAMS	SUPPLIES	\$1,046.12
SIEMENS INDUSTRY INC	EQUIPMENT/PARTS	\$1,215.12
SIGNWORKS INC	CONTRACTURAL SVC	\$3,158.00
SJ ELECTRO SYSTEMS INC	SYSTEM REPAIRS/SCADA CONTROLS/WWTP	\$5,920.46
SMART WAVE TECHNOLOGIES LLC	HARDWARE/SOFTWARE	\$38,033.83
SNYDER & ASSOCIATES INC	PROFESSIONAL SVCS PROJECTS	\$29,041.00
SOLARWINDS INC	HARDWARE/SOFTWARE	\$908.00
SOUTHWEST IOWA NARCOTICS	REIMBURSEMENT	\$1,466.85
SOUTHWEST IOWA PLANNING COUNCIL	TRANSIT OPERATIONS	\$43,447.13
SPECTRUM HOLDINGS INC	EQUIPMENT/PARTS	\$270.00
SPRINGSTED INCORPORATED	LEGAL PROFESSIONAL SERVICES	\$14,430.00
SPRINT SOLUTIONS INC	CELL PHONE	\$115.16
ST LUKE'S HEALTH RESOURCES	CONSULTANT	\$40.00
STANDARD BATTERY	SUPPLIES	\$1,093.20
STATE INDUSTRIAL PRODUCTS CORPORATION	SUPPLIES	\$1,011.42
STEAMATIC OF OMAHA INCORPORATED	CONTRACTURAL SVC	\$150.00
STERN OIL INC	SUPPLIES	\$2,113.75
STRATUM CONSULTING PARTNERS INC	CONTRACTURAL SVC	\$680.00
STUDIO 15 COMMERCIAL INTERIORS INC	PROFESSIONAL SERVICES	\$97,454.83
SUEZ TREATMENT SOLUTIONS INC	CONTROL CENTER BALLAST CARDS	\$9,021.40
TANYA FRENCH	TRAVEL REIMBURSEMENT	\$38.52
TECH INC	SUPPLIES	\$64.09
TED'S MOWER SALES & SERVICE INC	EQUIPMENT/PARTS	\$326.98
TERRACON CONSULTANTS OF NEB INC	PROFESSIONAL SVCS	\$1,034.25
THE RETROFIT COMPANIES INC	CONTRACTURAL SVC	\$2,629.25
THE SCOTTS MIRACLE-GRO COMPANY	YARD WASTE COLLECTION	\$11,960.74
THERESA CANNON DEWITT	REIMBURSEMENT	\$34.78
THERMO KING CHRISTENSEN	SUPPLIES	\$116.34
THIELE GEOTECH INC	PROFESSIONAL SVCS	\$2,099.71
THOMAS & THOMAS COURT REPORTERS	ATTORNEY FEES	\$459.75
THOMAS E STEVENS D/B/A		\$600.00
THOMAS R POTVIN	PRO SHOP SALES	\$4,482.82
THOMSON REUTERS	SUBSCRIPTION	\$605.39
TIMOTHY WICKWIRE	REFUND	\$633.75
TITAN MACHINERY INC	EQUIPMENT/PARTS	\$1,007.29
TOYNE INC	EQUIPMENT/PARTS	\$119.77
TRAFFIC CONTROL CORP	EQUIPMENT/PARTS	\$4,420.00
TRANS-IOWA EQUIPMENT INC	EQUIPMENT/PARTS	\$44.40
TRANSIT AUTHORITY OF THE CITY OF OMAHA	BUS SERVICE	\$60,644.00
TREASURER STATE OF IOWA/SALES TAX	SALES TAX	\$4,321.00
TRISHA D ALFERS	TRAVEL REIMBURSEMENT	\$8.56
TRUGREEN CHEMLAWN	CONTRACTURAL SVC	\$697.03
TWO RIVERS INSURANCE COMPANY INC	HEALTH INSURANCE	\$759,011.13
TYLER TECHNOLOGIES INC	HARDWARE/SOFTWARE	\$1,400.00
U S VENTURE INC	SUPPLIES	\$394.74
UNITED PARCEL SERVICE	FREIGHT/POSTAGE	\$65.90
UNIVERSITY OF WISCONSIN	BOOKS/PERIODICALS/SUB	\$109.00



VENDOR	DESCRIPTION	AMOUNT
RIVER'S EDGE PARKING LLC	RIVERS EDGE PARKING GARAGE LEASE	\$4,240,296.00
PAYROLL	EMPLOYEE PAYROLL	\$1,710,147.18
TWO RIVERS INSURANCE COMPANY INC	HEALTH INSURANCE	\$759,011.13
HAWKINS CONSTRUCTION COMPANY	W BROADWAY RECON SEG 1 CONSTRUCTION	\$716,283.95
MECO-HENNE CONTRACTING INC	RIVERS EDGE PARK PH2 CONSTRUCTION	\$655,543.00
EFTPS	EMPLOYEE TAXES	\$542,387.53
MFPESI	EMPLOYEE CONTRIBUTION	\$439,437.17
RED RIVER WASTE SOLUTIONS LP	REFUSE COLLECTION	\$280,005.33
COMPASS UTILITY LLC	E MANAWA SEWER REHAB PH VI	\$272,230.60
KEVIN KLOCKE	2017 FORD F-450 LIFE LINE AMBULANCE	\$218,939.00
US BANK	BASS PRO LOAN	\$211,701.64
IPERS	RETIREMENT	\$185,942.17
HGM ASSOCIATES INC	PROFESSIONAL SVCS , MULTIPLE PROJECTS	\$183,358.36
VALLEY CORPORATION	12TH ST EMER SEWER REPAIR	\$180,614.95
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	QUARTERLY PAYMENT	\$150,000.00
CARLEY CONSTRUCTION LLC	S 1ST ST NEIGHBORHOOD REHAD, AVE J RECON	\$130,078.28
MONROE TRUCK EQUIPMENT	2018 INTERNATIONAL EQUIPMENT/PARTS	\$119,187.98
IOWA DEPT OF REVENUE	EMPLOYEE TAXES	\$117,999.00
ECHO ELECTRIC SUPPLY	TARGETED JOBS/ECON DEV GRANT	\$117,888.41
MIDSTATES BANK, NA	WORKMAN COMPENSATION	\$110,942.29
MIDAMERICAN ENERGY	ELECTRICITY	\$107,282.37
STUDIO 15 COMMERCIAL INTERIORS INC	PROFESSIONAL SERVICES	\$97,454.83
RPL UTILITY LLC	S 28TH ST STORM SEWER RECONSTRUCTION	\$87,259.00
MID AMERICA CENTER	OPERATING EXPENSE	\$86,442.70
POTTAWATTAMIE COUNTY AUDITOR	LAW ENFORCE COMPLEX, PRIMARY & ELECTION	\$84,847.45
MID AMERICA GOLF AND LANDSCAPE INC	DODGE RIVERSIDE PH 1 CONSTRUCTION	\$69,873.00
WESTERN ENGINEERING COMPANY INC	CONSTRUCTION /ASPHALT	\$66,502.15
LEANN L HUGHES	TREE TRIMMING & REMOVAL	\$64,403.50
IOWA FINANCE AUTHORITY	LOAN PAYMENTS	\$62,430.00
NATIONWIDE RETIREMENT SOLUTIONS INC	EMPLOYEE CONTRIB	\$62,291.22
TRANSIT AUTHORITY OF THE CITY OF OMAHA	BUS SERVICE	\$60,644.00
BLUFFS PAVING & UTILITY INC	E HILLS DR SEGMENT, PW17-16A CONSTRUCTION	\$57,136.90
LYMAN RICHEY CORPORATION	CONCRETE	\$56,539.35
COUNCIL BLUFFS AIRPORT AUTHORITY	AIRPORT AUTH TAX	\$54,477.92
PETROLEUM TRADERS CORPORATION	FUEL	\$53,676.01
US BANK	BANK SERVICES	\$51,787.48
MIDWEST FLOOR COVERING, INC	CB LIBRARY FLOOR REPLACEMENT	\$51,359.40
MIDWEST TURF & IRRIGATION	MOWING EQUIPMENT/PARTS	\$47,421.04
SOUTHWEST IOWA PLANNING COUNCIL	TRANSIT OPERATIONS	\$43,447.13
CBJ CONSTRUCTION CO INC	FIRST RESPONDERS PROJECT	\$38,471.00
SMART WAVE TECHNOLOGIES LLC	HARDWARE/SOFTWARE	\$38,033.83
NEW VISIONS HOMELESS SERVICES	MOWING/GROUNDS MAINT	\$35,180.00
HDR ENGINEERING INC	PROF SVCS - LEVEE, RIVERS EDGE, WPC PLANT	\$34,534.15
MARCO TECHNOLOGIES LLC	COPY/PRINTER MAINT, MITEL PHONE SYSTEM	\$34,173.92
SNYDER & ASSOCIATES INC	PROFESSIONAL SVCS PROJECTS	\$29,041.00
EHRHART GRIFFIN & ASSOCIATES INC	PROFESSIONAL SVCS SEWER PROJECTS	\$28,248.00
HOEFER WYSOCKI ARCHITECTS, LLC	PROFESSIONAL SVCS CBPD	\$27,254.20
OVIVO USA LLC	BIOCURLZ CAGE RETROFIT	\$26,905.00
SECURITY EQUIPMENT INCORPORATED	RIVERS EDGE SECURITY SYSTEM	\$24,686.65
ELECTRONIC TECHNOLOGY INC	12 PTZ CAMERAS	\$24,240.00
PROJECT ADVOCATES	CBPD CONTRACTURAL SVC	\$22,086.06
CONDUENT INCORPORATED	MOBILE RESPONSE SOFTWARE, SYS SUPPORT	\$21,955.50
GL ANKENY FORD LLC	VEHICLES	\$20,502.65
COX COMMUNICATIONS	PHONE/INTERNET SVC	\$20,420.43
EIDE BAILLY LLP	FY17 AUDIT	\$18,000.00
POTTAWATTAMIE COUNTY SHERIFF	INMATE COST	\$17,850.00
BRETT GOEHRING	TREE AND BRUSH SPRAYING	\$17,510.00
WYSS ASSOCIATES, INC	PROF SVS/DODGE RIVERSIDE GOLF COURSE 2	\$16,328.87

LAWN WIZARDS INC	MOWING/GROUNDS MAINT	\$15,833.35
PRIME COMMUNICATIONS INC	HARDWARE/SOFTWARE	\$15,673.18
OMG MIDWEST INC	STREET MAINTENANCE MILLING	\$15,426.40
BRAVIUM LLC	LEADERSHIP SESSIONS/DESIGN & FACILITATION	\$15,160.00
EBS - FLEX ACOCUNT	EMPLOYEE CONTRIBUTION	\$14,796.82
BAKER & TAYLOR INC	BOOKS/PERIODICALS/SUB	\$14,502.92
SPRINGSTED INCORPORATED	LEGAL PROFESSIONAL SERVICES	\$14,430.00
B & K MECHANICAL CONTRACTORS LLC	REPAIRS, INDIAN CREEK FORCE MAIN	\$14,400.00
BLUFFS ELECTRIC INC	ELECTRICAL REPAIR	\$13,421.65
ECHO ELECTRIC SUPPLY	SUPPLIES	\$12,109.93
JONES AUTOMOTIVE INCORPORATED	VEHICLE EQUIPMENT/PARTS	\$12,085.55
OLSSON ASSOCIATES	CBPD CONSULTANT	\$12,032.75
THE SCOTTS MIRACLE-GRO COMPANY	YARD WASTE COLLECTION	\$11,960.74
JAMES E HALL	DEMO CONTRACTURAL SVC	\$11,750.00
DIAMOND MARKETING SOLUTIONS GROUP INC	SANITATION PRINTING & POSTAGE	\$11,259.63
NATHAN N SORENSEN	CONCRETE SERVICES	\$10,750.00
VOYA RETIREMENT INSURANCE & ANNUITY CO	EMPLOYEE CONTRIB	\$10,732.00
ARROW TOWING	TOWING/STORAGE/AUCTION	\$10,660.00
MATTHEW PECKHAM	CONCRETE SERVICES	\$10,445.00
ICMA RETIREMENT TRUST	EMPLOYEE CONTRIBUTION	\$9,965.52
IP PATHWAYS LLC	HARDWARE/SOFTWARE	\$9,070.55
SUEZ TREATMENT SOLUTIONS INC	CONTROL CENTER BALLAST CARDS	\$9,021.40
NODDLE DEVELOPMENT COMPANY	CONSULTANT FEES RIVERS EDGE DEV	\$8,333.33
COUNCIL BLUFFS WATER WORKS	WATER	\$8,270.38
EMUNAH LLC	JANITORIAL SERVICE	\$8,156.50
NEWSBANK INC	LIBRARY DATABASE HARDWARE/SOFTWARE	\$7,915.00
FIREFIGHTERS UNION #15	EMPLOYEE CONTRIBUTION	\$7,900.00
KAMINSKY, SULLENBERGER & ASSOC INC	FTO SEMINAR/POLICE DEPT	\$7,625.00
INLAND TRUCK PARTS COMPANY INC	EQUIPMENT/PARTS	\$7,413.80
COLLECTION SERVICES CENTER	GARNISHMENT	\$7,281.32
CONSOLIDATED ELECTRICAL DISTR, INC	SUPPLIES	\$7,238.77
CORNHUSKER TRUCKS ACCT #10747	EQUIPMENT/PARTS	\$7,119.08
LEAGUE OF HUMAN DIGNITY INC	GRANT REIMB BARRIER REMOVAL PROG	\$6,975.00
CREDIT CARD CHARGES	FEES	\$6,604.41
JEO CONSULTING GROUP INC	LEVEE CERTIFICATION CONSULTANT	\$6,575.00
MIDLANDS HUMANE SOCIETY	CONTRACTURAL SVC	\$6,455.10
VERIZON WIRELESS SERVICES LLC	CELL PHONE	\$6,405.28
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	RIVER'S EDGE COMMUNITY BLDG	\$6,384.95
PITNEY BOWES CORPORATION	POSTAGE & LEASE COST	\$6,222.53
KELLY'S CARPET	CBFD MATTRESSES	\$6,080.00
MILLS COUNTY SHERIFF'S DEPARTMENT	GRANT REIMBURSEMENT	\$6,003.00
WASTE CONNECTIONS OF NEBRASKA INC	SOLID WASTE DISPOSAL	\$6,000.98
SJ ELECTRO SYSTEMS INC	SYSTEM REPAIRS/SCADA CONTROLS/WWTP	\$5,920.46
ED M FELD EQUIPMENT COMPANY INC	EQUIPMENT/PARTS	\$5,642.31
MURPHY TRACTOR & EQUIPMENT CO CORP	EQUIPMENT SUPPLIES	\$5,531.31
COMPUTER CABLE CONNECTION	HARDWARE/SOFTWARE	\$5,442.35
GREGORY A PETERSON CONSULTING INC	CONSULTANT	\$5,400.00
DUNCAN PARKING TECHNOLOGIES INC	EQUIPMENT/PARTS	\$5,398.06
IOWA PRISON INDUSTRIES	SUPPLIES	\$5,149.80
J & L SERVICES	RENTAL EXPS	\$5,127.50
NEW HORIZONS COMPUTER LEARNING CTR OF NE	HARDWARE/SOFTWARE	\$5,000.00
BLACK HILLS UTILITY HOLDINGS INC	NATURAL GAS	\$4,791.43
BH MEDIA GROUP HOLDING INC	ADVERTISEMENT	\$4,714.84
COMMERCIAL AIR MANAGEMENT INC	EQUIPMENT/PARTS	\$4,673.84
SAFETY GUARD INC	REPAIRS	\$4,525.00
KONECRANES	CRANE REPAIR	\$4,494.00
HEARTLAND TIRES & TREADS INC	TIRE REPLACEMENT/REPAIR	\$4,486.19
THOMAS R POTVIN	PRO SHOP SALES	\$4,482.82
NEBRASKA MACHINERY COMPANY	EQUIPMENT INSPECTIONS/PARTS	\$4,448.00
TRAFFIC CONTROL CORP	EQUIPMENT/PARTS	\$4,420.00
OMAHA NEON SIGN CO INC	CONTRACTURAL SVC	\$4,350.00

TREASURER STATE OF IOWA/SALES TAX	SALES TAX	\$4,321.00
BARTON SOLVENTS INCORPORATED	SUPPLIES	\$4,263.00
MIDWEST TAPE	DVD/AUDIO/CD	\$4,240.36
ASPHALT AND CONCRETE MATERIALS CO	STREET MAINTENANCE SUPPLIES	\$4,158.43
ADVANCE SERVICES, INC	CONTRACT LABOR /STREETS	\$4,051.14
WORKMAN PRECAST CORP	SUPPLIES	\$4,038.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$4,000.00
CRAIG KEYSOR	CONTRACTURAL SVC	\$3,875.00
ALVINE AND ASSOCIATES INC	PUMP REPLACEMENT	\$3,850.00
CHAMPLIN TIRE RECYCLING INC	TIRE DISPOSAL	\$3,829.50
DXP ENTERPRISES INC	EQUIPMENT/PARTS	\$3,806.53
RELIANT FIRE APPARATUS INC	EQUIPMENT/PARTS	\$3,757.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$3,540.00
BOUND TO STAY BOUND BOOKS INC	BOOKS/PERIODICALS/SUB	\$3,442.36
CABB INC	JANITORIAL SERVICE	\$3,311.33
SIGNWORKS INC	CONTRACTURAL SVC	\$3,158.00
MOBOTREX INC	SUPPLIES	\$3,102.03
MICHAEL O'BRADOVICH	CONSULTANT	\$3,000.00
FRATERNAL ORDER OF POLICE	EMPLOYEE CONTRIBUTION	\$2,975.00
C J FUTURES INC	MOWING/GROUNDS MAINT	\$2,875.00
ERRIN KEITH GUNDERSON	CONTRACTURAL SVC	\$2,853.53
REGENTS OF THE UNIVERSITY OF MINNESOTA	SUPPLIES	\$2,793.00
DEARREADER.COM LLC	HARDWARE/SOFTWARE	\$2,750.00
RED BRANCH MEDIA, INC	CONSULTANT	\$2,750.00
THE RETROFIT COMPANIES INC	CONTRACTURAL SVC	\$2,629.25
DATABASE LLC	HARDWARE/SOFTWARE	\$2,600.00
BISHOP BUSINESS EQUIPMENT COMPANY	SUPPLIES	\$2,574.20
RICK IDEUS INC	CONTRACTURAL SVC	\$2,565.25
WILLCO INC.	EQUIPMENT/PARTS	\$2,554.60
PROTEX CENTRAL INCORPORATED	CONTRACTURAL SVC	\$2,546.59
JCG LAND SERVICES INC	CONTRACTURAL SVC	\$2,534.81
GENUINE PARTS COMPANY-NAPA	EQUIPMENT/PARTS	\$2,530.99
WINDSTREAM CORPORATION	TELEPHONE	\$2,528.87
CUMMINS CENTRAL POWER, LLC	EQUIPMENT/PARTS	\$2,483.18
ENGINEERING TECHNOLOGIES INC	CONSULTANT	\$2,475.00
IOWA CHAPTER APWA	DUES/MEMBERSHIP	\$2,450.00
ENDRESS + HAUSER	SUPPLIES	\$2,438.64
INGERSOLL-RAND COMPANY	EQUIPMENT/PARTS	\$2,407.39
OVERDRIVE INC	BOOKS/PERIODICALS/SUB	\$2,314.73
ARNOLD MOTOR SUPPLY LLP	EQUIPMENT/PARTS	\$2,309.20
OCLC NETLIBRARY	SUBSCRIPTION	\$2,294.76
JIM HAWK TRUCK TRAILERS INC	EQUIPMENT/PARTS	\$2,287.21
AFSCME IOWA COUNCIL 61	DUES EMPLOYEE	\$2,277.50
RECORDED BOOKS LLC	DVD/AUDIO/CD	\$2,231.40
VOLTMER, INC.	CONTRACTURAL SVC	\$2,139.49
ABM ONSITE SERVICES-MIDWEST INC	JANITORIAL SERVICE	\$2,119.00
STERN OIL INC	SUPPLIES	\$2,113.75
THIELE GEOTECH INC	PROFESSIONAL SVCS	\$2,099.71
METROPOLITAN AREA PLANNING AGENCY	CONSULTANT	\$2,084.00
UTILITY EQUIPMENT COMPANY	EQUIPMENT/PARTS	\$2,013.36
ALEGENT HEALTH	MEDICAL SUPPLIES	\$2,000.00
VOICE & DATA SYSTEMS INC	TELEPHONE	\$1,975.15
ELLIOTT AUTO SUPPLY COMPANY INC	SUPPLIES	\$1,873.30
CUSTOM AUTO REBUILDERS	VEHICLE REPAIR	\$1,857.91
MIDLANDS PRINTING & BUSINESS FORMS	PRINTING/BINDING	\$1,768.57
A ASON OKORUWA D/B/A	CONSULTANT	\$1,750.00
G I MOW LLC	MOWING/GROUNDS MAINT	\$1,718.57
NEBRASKA-IOWA SUPPLY CO INC	FUEL	\$1,706.40
MARK WARNEKE	CONTRACTURAL SVC	\$1,705.00
BARNHART CRANE AND RIGGING CO	CONTRACTURAL SVC	\$1,700.00
LARSEN SUPPLY COMPANY INC	SUPPLIES	\$1,690.43

BOO, INC.	EQUIPMENT/PARTS	\$1,672.33
PERSHING LLC	DODGE TRUST REIMBURSEMENT	\$1,633.94
VULCAN INDUSTRIES INCORPORATED	SUPPLIES	\$1,620.00
KAY PARK RECREATION	EQUIPMENT/PARTS	\$1,601.60
IOWA DIVISION OF LABOR SERVICES	FEES	\$1,555.00
IOWA ONE CALL	CONTRACTURAL SVC	\$1,554.90
PAYLESS OFFICE PRODUCTS INC	SUPPLIES	\$1,550.39
BMC SOFTWARE INC	HARDWARE/SOFTWARE	\$1,544.20
C & A INDUSTRIES INC	CONTRACT LABOR	\$1,536.00
BOUND TREE MEDICAL LLC	MEDICAL SUPPLIES	\$1,485.51
SOUTHWEST IOWA NARCOTICS	REIMBURSEMENT	\$1,466.85
BRIAN JANS	MOWING/GROUNDS MAINT	\$1,452.75
TYLER TECHNOLOGIES INC	HARDWARE/SOFTWARE	\$1,400.00
MULTIPLE OPTIONS INC	HARDWARE/SOFTWARE	\$1,348.50
NEBRASKA AIR FILTER INC	SUPPLIES	\$1,347.67
KENNETH LOGHRY	MOWING/GROUNDS MAINT	\$1,310.00
PHYSIO CONTROL INC	EQUIPMENT/PARTS	\$1,308.11
RESOURCE RENTAL CENTER INC	RENTAL EXPS	\$1,306.00
CONRECO INC	SUPPLIES	\$1,258.00
LKQ MIDWEST AUTO	EQUIPMENT/PARTS	\$1,240.00
AMERICAN PLANNING ASSOCIATION	DUES/MEMBERSHIP	\$1,218.00
SIEMENS INDUSTRY INC	EQUIPMENT/PARTS	\$1,215.12
MCKINNIS ROOFING & SHEET METAL INC	REPAIRS	\$1,191.26
JOHN A & MARY H FILBERT	EASEMENTS	\$1,174.40
MUNICIPAL CODE CORPORATION	SUBSCRIPTION	\$1,130.13
A & A LAWN AND LANDSCAPING LLC	MOWING/GROUNDS MAINT	\$1,110.00
BAUM HYDRAULICS CORP	EQUIPMENT/PARTS	\$1,107.99
CWA-DUES	DUES EMPLOYEE	\$1,105.98
DEMCO INC	SUPPLIES	\$1,103.54
PORTABLE COMPUTER SYSTEMS INC	HARDWARE/SOFTWARE	\$1,093.75
STANDARD BATTERY	SUPPLIES	\$1,093.20
ACTION BATTERIES UNLIMITED INC	SUPPLIES	\$1,084.25
PASSPORT PARKING INC	PARK FEES	\$1,083.00
RIVERSIDE BUILDING MAINTENANCE INC	JANITORIAL SERVICE	\$1,071.00
FIRST WIRELESS INC	EQUIPMENT/PARTS	\$1,056.00
SHERWIN WILLIAMS	SUPPLIES	\$1,046.12
MICHIGAN STATE DISBURSEMENT UNIT	GARNISHMENT	\$1,041.38
TERRACON CONSULTANTS OF NEB INC	PROFESSIONAL SVCS	\$1,034.25
FORSTA FILTERS INC	EQUIPMENT/PARTS	\$1,020.21
QWEST CORPORATION	TELEPHONE	\$1,012.03
STATE INDUSTRIAL PRODUCTS CORPORATION	SUPPLIES	\$1,011.42
BARKER LEMAR AND ASSOCIATES INC	ENGINEERING	\$1,010.00
TITAN MACHINERY INC	EQUIPMENT/PARTS	\$1,007.29
GALLS INCORPORATED	EQUIPMENT/PARTS	\$1,004.66
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$1,000.00
YMCA OF GREATER OMAHA	CONTRACTURAL SVC	\$980.00
NATIONAL SAFETY COUNCIL	DUES/MEMBERSHIP	\$971.00
CFI TIRE SERVICE	TIRE REPLACEMENT/REPAIR	\$969.00
MIDWEST LABORATORIES INC	CONTRACTURAL SVC	\$940.00
WALKERS INC	UNIFORMS	\$930.69
MID-AMERICA CLEANING SYSTEMS INC	EQUIPMENT/PARTS	\$916.28
SOLARWINDS INC	HARDWARE/SOFTWARE	\$908.00
DANKO EMERGENCY EQUIPMENT CO	SUPPLIES	\$887.85
HOWARD SCARBERRY D/B/A	REPAIRS	\$880.00
NEBRASKA EMERGENCY EQUIP & COLLISION REP	SAFETY EQUIPMENT	\$860.00
LAWSON PRODUCTS INCORPORATED	SUPPLIES	\$787.91
CORNERSTONE PRINTING & IMAGING	PRINTING/BINDING	\$785.32
GREAT PLAINS UNIFORMS	UNIFORMS	\$764.50
CENGAGE LEARNING INC	BOOKS/PERIODICALS/SUB	\$755.79
CARROLL DISTRIBUTING & CONSTRUCTION	EQUIPMENT/PARTS	\$697.38
TRUGREEN CHEMLAWN	CONTRACTURAL SVC	\$697.03

ENTERPRISE RENT A CAR MIDWEST	RENTAL EXPS	\$689.74
CANON SOLUTIONS AMERICA INC	COPY/PRINTER MAINTANCE	\$688.00
DAVIS EQUIPMENT CORPORATION	EQUIPMENT/PARTS	\$687.75
PLC	MOWING/GROUNDS MAINT	\$683.35
STRATUM CONSULTING PARTNERS INC	CONTRACTURAL SVC	\$680.00
BOMGAARS SUPPLY INC	SUPPLIES	\$679.95
RASMUSSEN MECHANICAL SERVICE CORP	REPAIRS	\$672.25
BGNE	SUPPLIES	\$671.88
AMERICAN CRANE & RIGGING LLC	CONTRACTURAL SVC	\$665.00
CANON FINANCIAL SERVICES INC	LEASE	\$654.36
KRIHA FLUID POWER COMPANY	EQUIPMENT/PARTS	\$649.91
M & M STAFFING INC	CONTRACTURAL SVC	\$642.40
TIMOTHY WICKWIRE	REFUND	\$633.75
KEN BERES CONSULTING INC	CONSULTANT	\$625.00
LORETTA GOESCHEL	TRAVEL REIMBURSEMENT	\$608.78
KATHY A RIEGER	TRAVEL REIMBURSEMENT	\$605.62
THOMSON REUTERS	SUBSCRIPTION	\$605.39
EDWARDS CHEVROLET-CADILLAC INC	EQUIPMENT/PARTS	\$600.85
ROAD BUILDERS MACH & SUPPLY CO INC	EQUIPMENT/PARTS	\$600.00
THOMAS E STEVENS D/B/A		\$600.00
AGRIVISION EQUIPMENT GROUP	EQUIPMENT/PARTS	\$588.41
OMAHA DOOR & WINDOW CO INC	REPAIRS	\$587.51
BLUFFS TAXI & COURIER	PROFESSIONAL SVCS	\$586.75
D.M.G. INC	EQUIPMENT/PARTS	\$585.76
ALEXA MCDOWELL	PROFESSIONAL SVCS	\$582.71
PEERLESS WIPING CLOTH CO	SUPPLIES	\$568.00
RICHARD ROSAS	WELDING SUPPLIES/SERVICE	\$565.00
RHOMAR INDUSTRIES INC	SUPPLIES	\$564.03
PROV.16:3 INC	SUPPLIES	\$560.66
AMERICAN LAND TITLE COMPANY	PROFESSIONAL SVCS	\$557.50
GREAT AMERICA FINANCIAL SERVICES CORP	LOAN PAYMENTS	\$555.45
DAVID W WOODY	SUPPLIES	\$554.99
AMERIPRIDE SERVICES INC	UNIFORMS	\$535.83
BOOKPAGE	SUBSCRIPTION	\$528.00
ZIMCO SUPPLY COMPANY	SUPPLIES	\$519.00
C & J INDUSTRIAL SUPPLY	JANITORIAL SERVICE	\$517.20
CHILD SUPPORT SERVICES DIVISION	GARNISHMENT	\$514.32
DATA POWER TECHNOLOGY LLC	REPAIRS	\$509.00
RICHARD WADE	TRAVEL REIMBURSEMENT	\$502.10
JAMES E PELOWSKI	CONTRACTURAL SVC	\$500.00
NEBRASKA CHILD SUPPORT PAYMENT CTR	EMPLOYEE CONTRIB	\$496.62
THOMAS & THOMAS COURT REPORTERS	ATTORNEY FEES	\$459.75
WATEROUS COMPANY	EQUIPMENT/PARTS	\$446.30
RLKM INC	REPAIRS	\$434.93
GIBBS RENTAL	RENTAL EXPS	\$432.40
CYPRESS BENEFIT ADMINISTRATORS	REFUND	\$431.20
LOESS HILLS WOODWORKS INC	EQUIPMENT/PARTS	\$425.00
DONNA L TROUT	CONTRACTURAL SVC	\$400.00
ROBIN K HAMMITT	CONSULTANT	\$400.00
NCH CORPORATION	SUPPLIES	\$398.05
U S VENTURE INC	SUPPLIES	\$394.74
YELLOW SPRINGS INSTRUMENT CO INC	EQUIPMENT/PARTS	\$389.19
A & D TECHNICAL SUPPLY COMPANY	SUPPLIES	\$369.60
CHRISTOPHER J RUHAAK	CONTRACTURAL SVC	\$368.50
NEBRASKA DEPARTMENT OF REVENUE	GARNISHMENT	\$352.53
MIDLAND SCIENTIFIC INC	SUPPLIES	\$349.06
MID AMERICAN SIGNAL INC	EQUIPMENT/PARTS	\$344.00
TED'S MOWER SALES & SERVICE INC	EQUIPMENT/PARTS	\$326.98
ALICE MAE PIERCY	REFUND	\$325.90
ROTARY CLUB OF COUNCIL BLUFFS	DUES/MEMBERSHIP	\$325.00
HHH INC	SUPPLIES	\$315.17

MATHESON TRI GAS	WELDING SUPPLIES/SERVICE	\$310.15
FLOY A IRWIN	REFUND	\$307.62
PEER SUPPORT FOUNDATION	TRAINING	\$300.00
COUNCIL HITCH SERVICE INC	EQUIPMENT/PARTS	\$296.00
GRAHAM C JURA	TRAVEL REIMBURSEMENT	\$293.50
RUETER & ZENOR CO	EQUIPMENT/PARTS	\$287.25
IOWA DEPARTMENT OF REVENUE	GARNISHMENT	\$283.10
ALICE M REIMAN	REFUND	\$281.42
WPS MEDICARE PART B	REFUND	\$276.90
EXCEL PHYSICAL THERAPY INC	PROFESSIONAL SVCS	\$272.00
SPECTRUM HOLDINGS INC	EQUIPMENT/PARTS	\$270.00
FASTENAL COMPANY	SUPPLIES	\$269.89
GENIE PEST CONTROL	PEST CONTROL	\$265.00
JAMIE N RUPPERT	TRAVEL REIMBURSEMENT	\$262.26
ROSE EQUIPMENT INC	EQUIPMENT/PARTS	\$261.70
WATER ENGINEERING	CONTRACTURAL SVC	\$254.57
HD SUPPLY FAC MAINTENANCE LTD	SUPPLIES	\$248.61
KAY JAY ROLD	CONTRACTURAL SVC	\$248.00
DULTMEIER SALES	SUPPLIES	\$240.04
ACTION CONCRETE MATERIALS	CONTRACTURAL SVC	\$240.00
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	EMPLOYEE CONTRIB	\$240.00
PATRICK TOSCANO	CONTRACTURAL SVC	\$232.50
WEST BROADWAY CLINIC P C	CONSULTANT	\$225.00
OLD HWY 6 TRACTOR & EQUIPMENT INC	EQUIPMENT/PARTS	\$223.38
REA B BLACKBURN	CONTRACTURAL SVC	\$200.00
CENTER POINT LARGE PRINT	SUPPLIES	\$197.55
PAUL E DAMROW	TRAVEL REIMBURSEMENT	\$197.16
BUCKS INC	VEHICLE WASH	\$197.00
AQUA-CHEM INCORPORATED	SUPPLIES	\$195.00
CERTIFIED POWER INC	EQUIPMENT/PARTS	\$192.43
IOWA ASSOC OF BUILDING OFFICIALS	DUES/MEMBERSHIP	\$190.00
MIDWEST MEDICAL & SAFETY INC	MEDICAL SUPPLIES	\$185.00
MENARDS	SUPPLIES	\$184.86
AMERICAN CONCRETE PRODUCTS COMPANY	STREET MAINTENANCE SUPPLIES	\$172.90
LOZANO BENJAMIN	TRAVEL REIMBURSEMENT	\$171.20
E O REAL ESTATE	REFUND	\$153.03
HEARTLAND CO-OP	FUEL	\$152.00
VERMEER SALES & SERVICE INC	EQUIPMENT/PARTS	\$152.00
SAFETY KLEEN CORPORATION	CONTRACTURAL SVC	\$150.00
STEAMATIC OF OMAHA INCORPORATED	CONTRACTURAL SVC	\$150.00
JODI R QUAKENBUSH	TRAVEL REIMBURSEMENT	\$145.52
EMSPACE INC	CONSULTANT	\$144.00
DIAMOND OIL COMPANY	EQUIPMENT/PARTS	\$138.00
ANNA HARTMANN	TRAVEL REIMBURSEMENT	\$135.62
IOWA DEPARTMENT OF NATURAL RESOURCE	CONTRACTURAL SVC	\$134.00
POTTAWATTAMIE COUNTY RECORDER	FEES	\$134.00
W W GRAINGER INCORPORATED	EQUIPMENT/PARTS	\$133.00
MATTHEW BENDER & CO INC	SUBSCRIPTION	\$131.43
PRO LABEL-DECAL BANNER CO	SUPPLIES	\$126.96
MCMULLEN FORD INC	EQUIPMENT/PARTS	\$126.78
FITCH-PREMEAUX WINDOW CLEANING INC	CONTRACTURAL SVC	\$125.00
TOYNE INC	EQUIPMENT/PARTS	\$119.77
YANT TESTING SUPPLY & EQUIPMENT CO INC	REPAIRS	\$117.50
THERMO KING CHRISTENSEN	SUPPLIES	\$116.34
SPRINT SOLUTIONS INC	CELL PHONE	\$115.16
UNIVERSITY OF WISCONSIN	BOOKS/PERIODICALS/SUB	\$109.00
WOODHOUSE AUTO FAMILY	EQUIPMENT/PARTS	\$106.65
RACHEL STOLZ	TRAVEL REIMBURSEMENT	\$96.91
INTERSTATE ALL BATTERY CENTER	SUPPLIES	\$96.20
AMERICAN NATIONAL BANK	BANK SERVICES	\$94.35
BILL'S WATER CONDITIONING	SUPPLIES	\$89.00

ONE SOURCE THE BACKGROUND CHECK CO	CONSULTANT	\$88.00
PIPING RESOURCES	SUPPLIES	\$87.19
RICOH USA INC	EQUIPMENT/PARTS	\$80.64
DEX MEDIA EAST LLC	ADVERTISEMENT	\$75.78
CLEAR TITLE & ABSTRACT LLC	PROFESSIONAL SVCS	\$75.00
IOWA STATE UNIVERSITY	TRAINING	\$75.00
UNITED PARCEL SERVICE	FREIGHT/POSTAGE	\$65.90
TECH INC	SUPPLIES	\$64.09
DANIEL ROBERTS	TRAVEL REIMBURSEMENT	\$62.49
AGRILAND F S INC	SUPPLIES	\$56.45
MIDSTATES BANK, NA	BANK SERVICES	\$54.17
DATASHIELD CORPORATION	CONTRACTURAL SVC	\$50.00
IOWA ASSOC OF PROFESSIONAL FIRE CHIEFS	DUES/MEMBERSHIP	\$50.00
OMAHA COMPOUND COMPANY	SUPPLIES	\$48.68
JEREMY SMITH	CONTRACTURAL SVC	\$45.00
WILLIAM E CARPENTER JR	TRAVEL REIMBURSEMENT	\$44.41
TRANS-IOWA EQUIPMENT INC	EQUIPMENT/PARTS	\$44.40
CHRISTINE D ANDERSON	TRAVEL REIMBURSEMENT	\$43.34
COUNCIL BLUFFS CHAMBER OF COMMERCE	CONTRACTURAL SVC	\$40.00
IOWA WORKFORCE DEVELOPMENT	UNEMPLOYEMENT	\$40.00
LEGISLATIVE SERVICES AGENCY	SUBSCRIPTION	\$40.00
ST LUKE'S HEALTH RESOURCES	CONSULTANT	\$40.00
TANYA FRENCH	TRAVEL REIMBURSEMENT	\$38.52
THERESA CANNON DEWITT	REIMBURSEMENT	\$34.78
JEBRO INCORPORATED	CONTRACTURAL SVC	\$30.00
MARK ARCHIBALD	TRAVEL REIMBURSEMENT	\$30.00
LARRY CAMPBELL	BOOKS/PERIODICALS/SUB	\$27.96
DEBORAH WHITE	FEES	\$25.00
JEFFREY T KOUBA	PROFESSIONAL SVCS	\$25.00
PAYPAL INC	CONTRACTURAL SVC	\$19.95
KENNETH T MCCLURE	TRAVEL REIMBURSEMENT	\$18.91
RACHEL HOLMES	REFUND	\$17.00
IOWA DEPT OF AGRICULTURE & LAND STWRDShP	CONTRACTURAL SVC	\$15.00
AMERICAN MESSAGING SERVICES LLC	TELEPHONE	\$13.24
O'REILLY AUTOMOTIVE INC	SUPPLIES	\$8.58
TRISHA D ALFERS	TRAVEL REIMBURSEMENT	\$8.56
LORNA WOODS	REIMBURSEMENT	\$8.04
AMIE GORDON	REFUND	\$5.99
GENERAL SERVICE BUREAU	CONTRACTURAL SVC	\$5.74
IOWA DEPT OF TRANSPORTATION	CONSULTANT	\$2.00

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\$13,894,651.45

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-17-006  
Submitted by: Christopher  
Gibbons

Ordinance 6315

Council Action: 12/18/2017

### Description

Ordinance to amend the zoning map as adopted by reference in Section 1.02.070, by rezoning property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of the U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, from A-2/Parks, Estate and Agricultural District to C-2/Commercial District as defined in Chapter 15.15. (Location: The northwest corner of the intersection at South 35th Street and U.S. Highway 275.)

### Background/Discussion

The Community Development Department has received an application from Clark Storage, LLC, represented by Henry Clark, to rezone the property legally described above from A-2/Parks, Estates and Agricultural District to C-2/Commercial District. The property is comprised of 8.41 acres of undeveloped land and is located at the northwest corner of the intersection of South 35<sup>th</sup> Street and U.S. Highway 275 (Veterans Memorial Highway). The applicant has requested this rezoning in order to build 'commercial storage' units along with an accessory outdoor storage area for automobiles, recreational vehicles, trailers, etc., on the subject property.

A 'commercial storage' use is defined in Section 15.03.158 of the Council Bluffs Municipal Code (Zoning Ordinance) as "*storage services primarily for personal items and household goods within enclosed storage areas having individual access but excluding use of areas as workshops, hobby shops, manufacturing or commercial activities*". A 'commercial storage' use a C-2/Commercial District requires a conditional use permit from the Council Bluffs Zoning Board of Adjustment. Therefore, if City Council approves this rezoning request, the applicant must still obtain a conditional use permit from the Zoning Board of Adjustment before the use can be established on the subject property.

#### Land Use and Zoning

Surrounding zoning includes R-1M/Single-Family Manufactured Housing District to the north; A-2 District to the east; A-2 District and R-1/Single-Family Residential District to the south; and C-2/Commercial District, R-3/Low Density Multi-Family Residential District and A-2 District to the west. Existing land uses in the general vicinity of this request include a residential subdivision (Malmore Acres) to the north, undeveloped land to the east, a motel and undeveloped land to the west; and U.S. Highway 275, a residential subdivision (Fox Run Landing) and undeveloped land to the south.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Rural Residential/Agricultural.

The following exhibit shows the existing condition of the subject property and surrounding area: see Exhibit A.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Rural Residential/Agricultural.

The following exhibit shows the existing condition of the subject property and surrounding area: see Exhibit A.

Public notices were mailed to all property owners within 200 feet of the request. Two notices were returned undeliverable to the City. No adverse comments were received for the request.

All City Departments and local utilities were notified of the proposed rezoning. No adverse comments were received this rezoning request.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map.
- Attachment B: Conceptual site plan layout.
- Attachment C: Image of proposed ‘commercial storage’ building on the subject property.

#### **Discussion**

1. The subject property is undeveloped and has been used historically for agricultural purposes.
2. The subject property directly abuts U.S. Highway 275 (Veterans Memorial Highway) which is a major east/west highway corridor in the City of Council Bluffs. According to Section 15.15.010, C-2/Commercial District, Statement of intent, of the Council Bluffs Zoning Ordinance “*the C-2 District is intended to provide for major commercial retail shopping and service areas adjacent to major traffic corridors. This district also provides a variety of commercial services to the community and adjacent residential neighborhoods*”. Approval of the request will allow for new commercial growth along said highway corridor as well as provide new business opportunities to address the needs of existing and/or future residential properties in the southwest quadrant of the City.
3. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate commercial use(s) on the subject property.
4. The applicant has submitted a conditional use permit application for the proposed ‘commercial storage’ use on the subject property. The applicant’s conditional use permit request is scheduled for public hearing by Council Bluffs Zoning Board of Adjustment on November 21, 2017. Additionally, the applicant was informed that City Council must approve this rezoning request in order for the proposed conditional use permit to be approved by the Council Bluffs Zoning Board of Adjustment. All site development standards (e.g., setbacks, parking, architecture, landscaping, stormwater management, etc.) for the proposed ‘commercial storage’ use will be addressed with the conditional use permit.

#### **Recommendation**

The Community Development Department recommends approval of the request to rezone property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to C-2/Commercial District, based on reasons stated above.

#### **Public Hearing**

Speakers in favor:

1. Henry Clark, P. O. Box 485, Glenwood, IA 51534

Speakers against:

1. Carol Green, 3600 Scott Drive, Council Bluffs, IA 51503

#### **Planning Commission Recommendation**

The Planning Commission recommends approval of the request to rezone property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of U.S. Highway 275 and West of South 35th Street, all in Section 16-

74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to C-2/Commercial District, based on reasons stated above.

VOTE: AYE 8 NAY 0 ABSTAIN 0 ABSENT 3 Motion: Carried

**ATTACHMENTS:**

Description	Type	Upload Date
ZC-17-006 Clark Storage LLC PH Notice (11-27-17) CC	Resolution	11/16/2017
ZC-17-006 Clark Storage LLC Exhibit A (11-27-17) CC	Resolution	11/16/2017
ZC-17-006 Clark Storage LLC Attach A, B and C (11-27-17) CC	Resolution	11/16/2017
6315	Ordinance	12/12/2017

## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning the following:

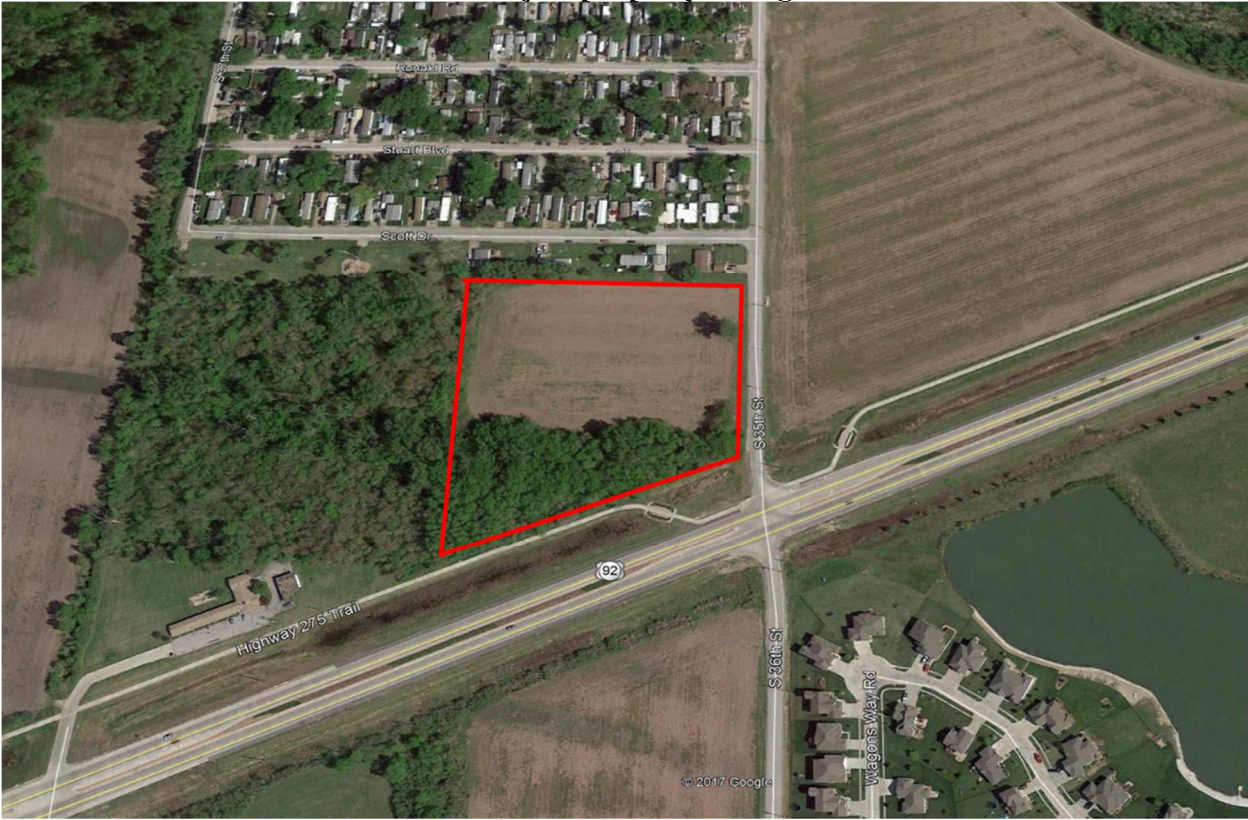
The South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to C-2/Commercial as defined in Chapter 15.15 of the Municipal Code.

You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 18<sup>th</sup> day of December, 2017, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

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Jodi Quakenbush, City Clerk

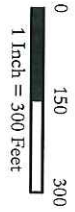
**Exhibit A: 2017 aerial view of the subject property facing north**



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION LOCATION/ZONING MAP CASE #ZC-17-006

**Map Legend**

- Case #ZC-17-006 Subject Property
- Parcels
- Overlay District
- Recreation-Tourism Overlay



2016 Aerial Photograph



Note: Subject properties are highlighted in red.



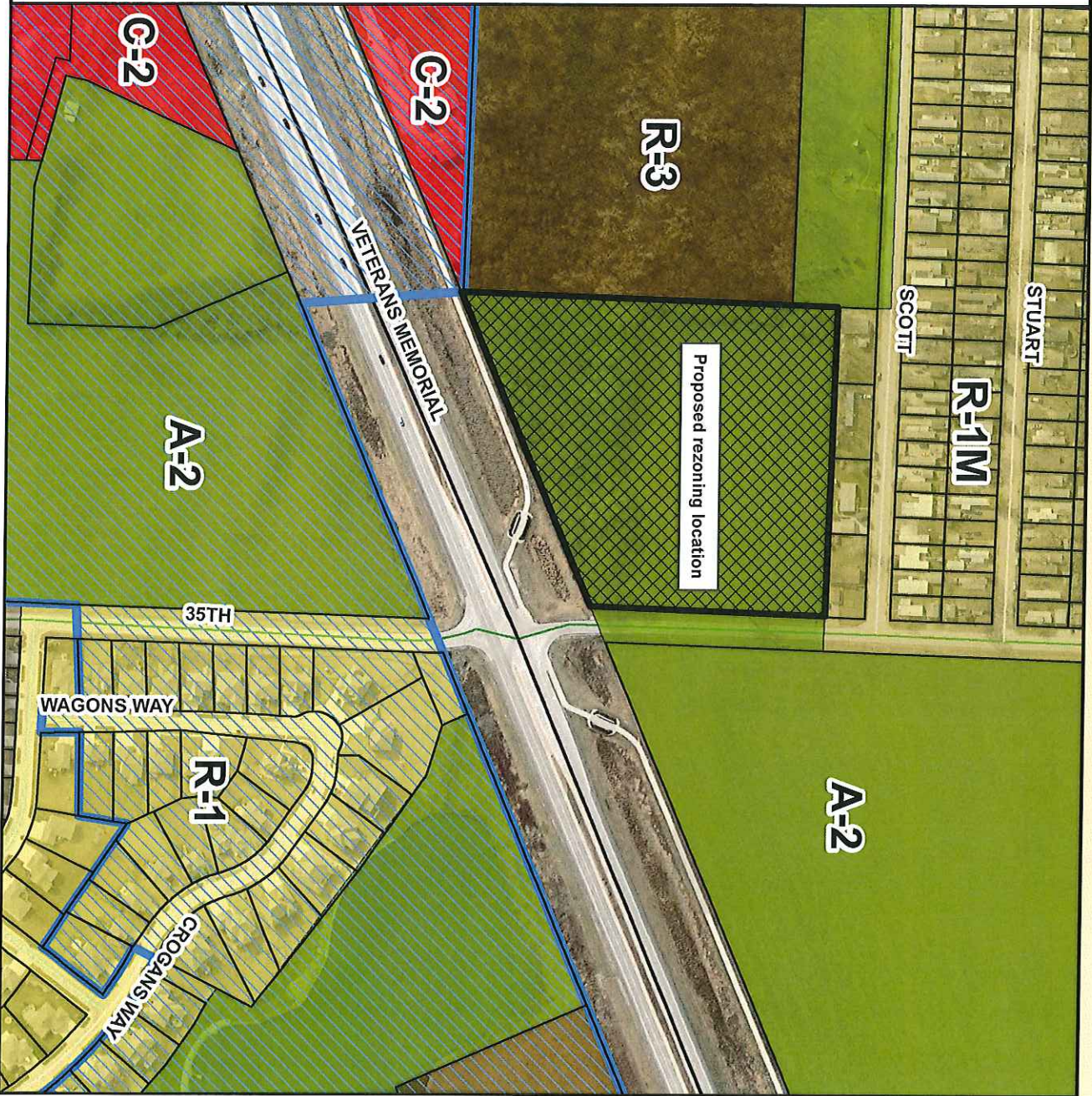
Last Amended: 10/10/17

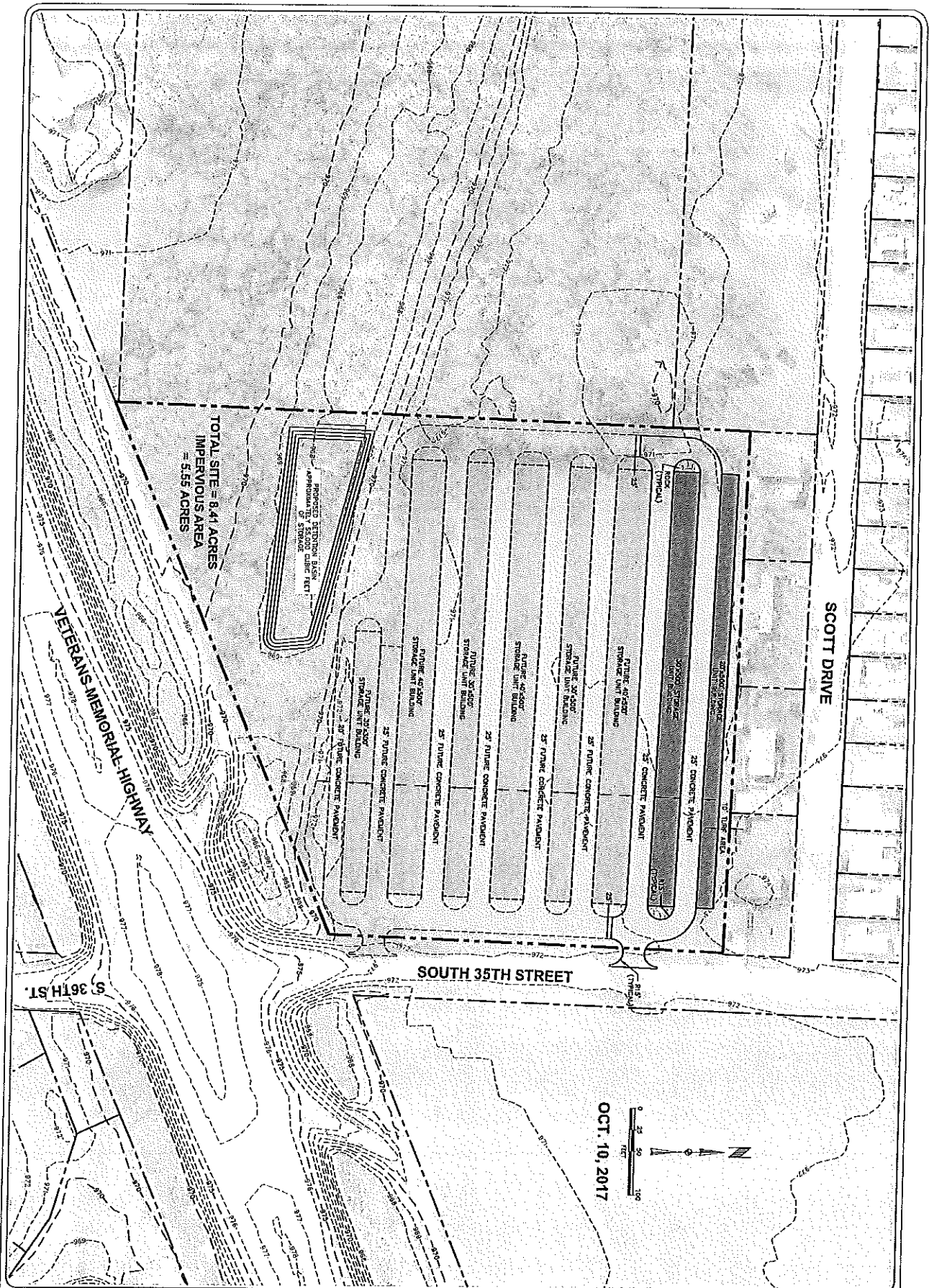


Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

**DISCLAIMER**

This map is prepared and compiled from City of Council Bluffs public records. It is not intended to be used as a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The City of Council Bluffs is not liable for any damages, including consequential damages, arising from the use of this map. The City of Council Bluffs is not a professional surveyor and does not warrant the accuracy of this map. This map is provided for informational purposes only. For more information, please contact the City of Council Bluffs Planning Department at (712) 328.4629.





TOTAL SITE = 8.41 ACRES  
IMPERVIOUS AREA = 5.55 ACRES

VETERANS MEMORIAL-HIGHWAY

SCOTT DRIVE

SOUTH 35TH STREET

S 36TH ST

OCT. 10, 2017

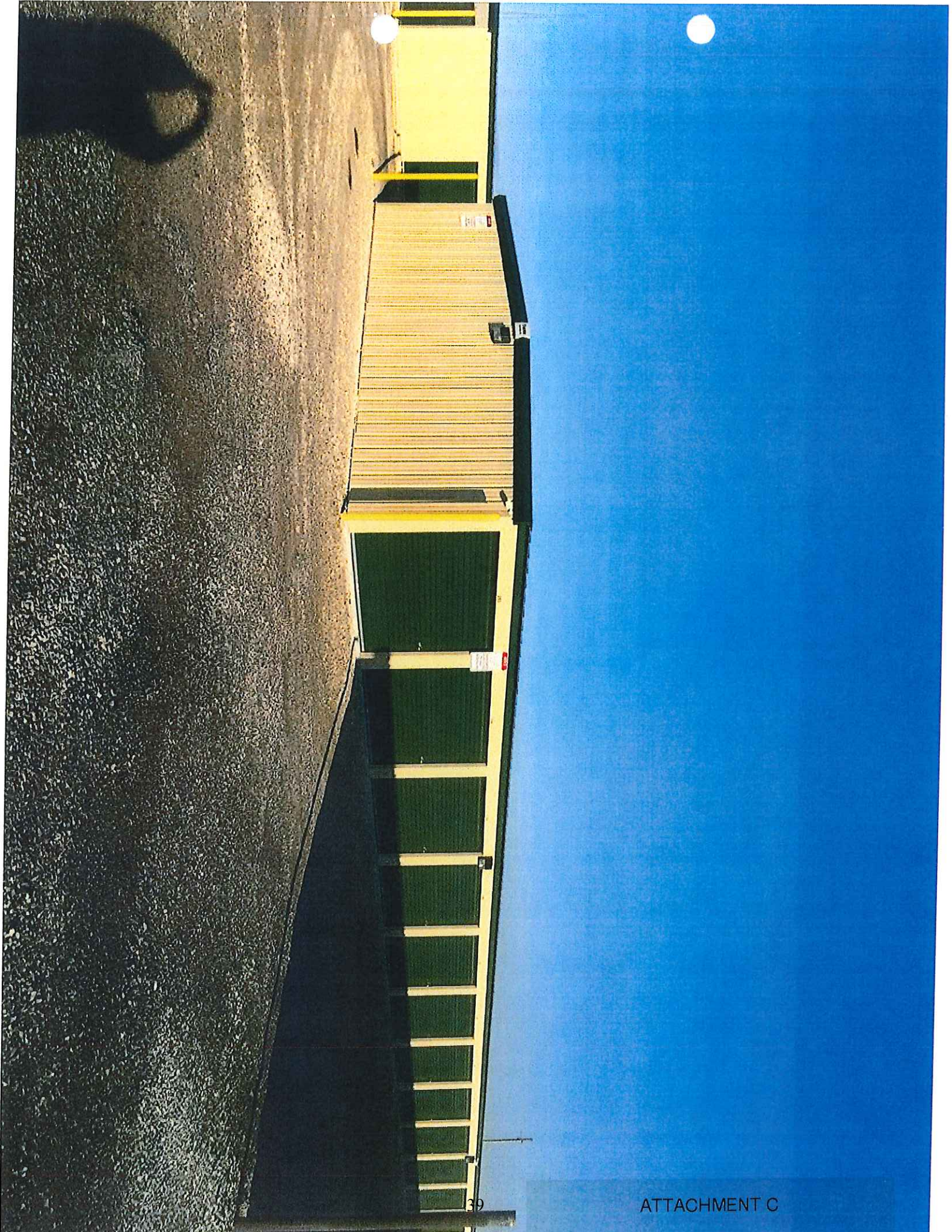
1 OF 1  
000177-259  
sheet

project: VETERANS MEMORIAL HIGHWAY/S. 35TH ST. SITE  
client: CLARK STORAGE  
sheet: PRELIMINARY SITE LAYOUT

RD	_____	DATE	_____
DESIGNED	_____	APPROVED	_____
CHECKED	_____	DATE	_____
DATE	OCT 17 2017	REVISION	38

**hgm**  
ASSOCIATES INC.  
640 FIFTH AVENUE COUNCIL BLUFFS, IA  
PHONE: 712-323-0530

This drawing is being made available by the contractor for use on the project in accordance with the provisions of the contract. The contractor shall be responsible for the accuracy of the drawing at any point in time and shall be held liable for any errors or omissions.



**ORDINANCE NO. 6315**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING THE SOUTH 66 FEET OF THE EAST 1/2 OF THE SW1/4 NE1/4, LYING WEST OF SOUTH 35TH STREET, ALONG WITH THE EAST 1/2 OF THE NW1/4 SE1/4, LYING NORTH OF U.S. HIGHWAY 275 AND WEST OF SOUTH 35TH STREET, ALL IN SECTION 16-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO C-2/COMMERCIAL DISTRICT AS DEFINED IN CHAPTER 15.15 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property legally described as being the South 66 feet of the East 1/2 of the SW1/4 NE1/4, lying West of South 35th Street, along with the East 1/2 of the NW1/4 SE1/4, lying North of U.S. Highway 275 and West of South 35th Street, all in Section 16-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to C-2/Commercial District.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND  
APPROVED

December 18, 2017.

\_\_\_\_\_  
MATTHEW J. WALSH

Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

City Clerk

First Consideration: 11-27-17  
Second Consideration: 12-18-17  
Public Hearing: 12-18-17  
Third Consideration: Waived

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Pat Miller, Public

Works Operations Director

Resolution 17-279

Council Action: 12/18/2017

### Description

Resolution approving the plans, specifications, form of contract and the cost estimate for the Bass Pro Shop Parking Lot Repair Project.

### Background/Discussion

Bass Pro Shop was constructed in 2005. There have been minimal repairs to the parking lot since that time. There are many areas during the summer that have become tripping hazards. Ice freezing in the same areas during Pose safety risks during the winter.

The entire parking lot also requires sealing of the entire surface and restriping which is normal maintenance of a lot that age.

Repairing the hazards and resealing and restriping the parking lot will ensure the parking lot will remain a safe environment.

The project schedule is as follows:

Letting - January 23, 2017

Award - February 12, 2018

Construction End – June 1, 2018

The estimated cost for this project is \$145,142. Funding for this project will be paid for by the Iowa West Foundation.

Project # BM-1804

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-279	Resolution	12/12/2017

RESOLUTION NO. 17-279

RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND FORM OF  
CONTRACT FOR THE BASS PRO SHOP PARKING LOT REPAIR PROJECT

WHEREAS, the City of Council Bluffs desires to repair the Bass Pro Shop parking lot; and

WHEREAS, HGM Associates Inc, working with City staff investigated the failed areas of the parking lot and has developed a replacement plan; and

WHEREAS, funding for this project will be provided by the Iowa West Foundation; and

WHEREAS, the plans, specifications and form of contract as prepared by HGM Associates Inc. are on file in the Office of City Clerk.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate for Bass Pro Shop Parking Lot Repair Project are hereby approved and authorized to advertise for bids for said project.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
Matthew Walsh                      Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush                      City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: OTB-17-005

Resolution 17-280

Council Action: 12/18/2017

Submitted by: Rose Brown

### Description

Resolution to dispose of City property legally described as Lots 10 through 12, Block 1, Oak Grove Addition. (Location: 27 Grove Street)

### Background/Discussion

The City has received an offer to purchase the property legally described above adjacent to the property located at 27 Grove Street. The property is classified as 'transitional dispose' and 'not buildable'. According to the adopted policy of March 14, 2016, the property should be priced at the appraised value or the amount most recently established by the Pottawattamie County Assessor.

The applicant has offered \$600.00. The land value according to the Pottawattamie County Assessor's office is \$1,314.00.

No recent City cost information has been provided by any City department.

Grove Street does not meet current City standards and the new construction of the residence should not be allowed on the lot(s) without full improvement of the street.

### Recommendation

The Community Development Department recommends disposal of the property legally described as Lots 10 through 12, Block 1, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa for the value of the land as most recently established by the Pottawattamie County Assessor's office and with the restriction that a primary structure may not be built on the lot(s) without improvement to the public street.

### ATTACHMENTS:

Description	Type	Upload Date
OTB-17-005 Kraft S of 27 Grove St Map (12-18-17) CC	Resolution	12/7/2017
Resolution 17-280	Resolution	12/12/2017



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 17-280

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS LOTS 10 THROUGH 12, BLOCK 1, OAK GROVE ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of property legally described as Lots 10 through 12, Block 1, Oak grove addition, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Jeff Kraft and all successors in interest: Lots 10 through 12, Block 1, Oak grove addition, City of Council Bluffs, Pottawattamie County, Iowa

BE IT FURTHER RESOLVED

That the purchase price be \$1,314.00.

ADOPTED

AND

APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh

Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: OTB-17-006

Resolution 17-281

Council Action: 12/18/2017

Submitted by: Rose Brown

### Description

Resolution to dispose of City property legally described as Former Railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa. (Location: Adjacent to 1401 South 16<sup>th</sup> Street.)

### Background/Discussion

The City has received an offer to purchase the property legally described above and adjacent to the property located at 1401 South 16 Street. The applicant has indicated the request is to allow him to construct an addition onto his existing building. The applicant has offered \$2,000.00.

No recent City costs have been provided by any City Department.

Using the fee scale for vacated City right-of-way is a reasonable basis to determine purchase price. Using the formula the property cost is \$3,929.69.

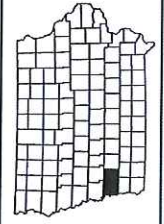
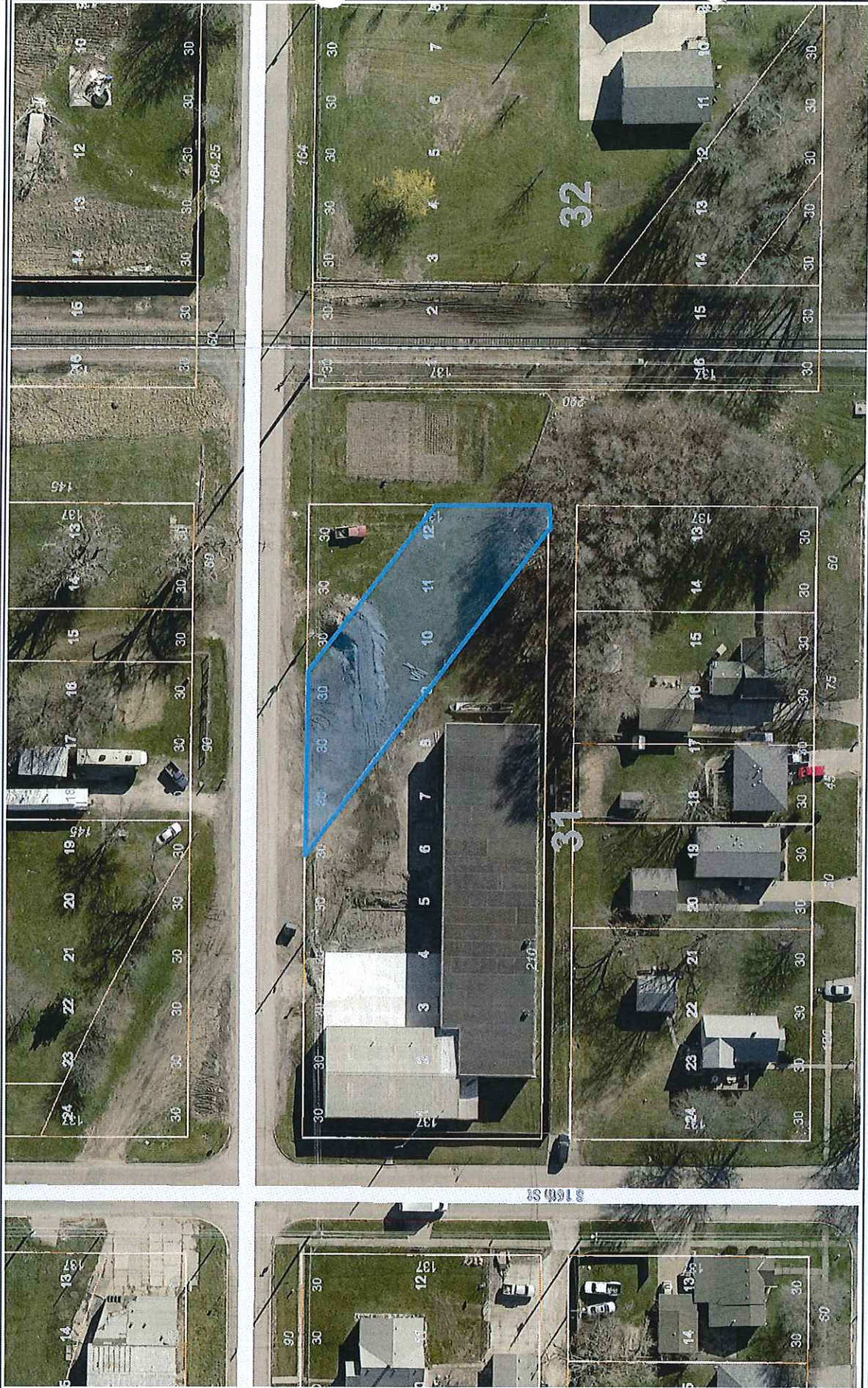
### Recommendation

The Community Development Department recommends disposal of the property legally described as being former railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa for the price of \$3,149.83.

### ATTACHMENTS:

Description	Type	Upload Date
OTB-17-006 JLS Investments LLC Adjacent to 1401 S 16th St Map (12-18-17) CC	Resolution	12/7/2017
Resolution 17-281	Resolution	12/12/2017

# CASE #OTB-17-006



Pottawattamie County GIS  
 223 S. 10th St.  
 Council Bluffs, IA 51501  
 (712) 378-4885  
[gis@pottcounty.com](mailto:gis@pottcounty.com)  
<http://gis.pottcounty.com>



Map Published: 11/14/2017  
 Pottawattamie County makes no representation or warranty as to the accuracy of this map and its information not to be relied on for use. The user assumes all liability for any use of this map and its information. Pottawattamie County warrants that the data and information on this map were obtained from reliable sources and are accurate as of the date of publication.

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 17-281

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS FORMER RAILROAD RIGHT-OF-WAY ABUTTING LOTS 1 THROUGH 12, BLOCK 31, FLEMING AND DAVIS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of property legally described as former railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

JLS Investments, LLC and all successors in interest: of property legally described as former railroad right-of-way abutting Lots 1 through 12, Block 31, Fleming and Davis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

BE IT FURTHER RESOLVED

That the purchase price be \$3,929.69.

ADOPTED  
AND

APPROVED: December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.: SAV-17-005

Resolution 17-282

Council Action: 12/18/2017

Submitted by: Christopher  
Gibbons

### Description

Resolution to vacate and dispose of that part of Skyline Drive lying North of Hawthorne Court and abutting Lot 1, Timbercrest First Addition and Lot 2, Referee's Subdivision of the South one-half of the NE1/4 SW1/4 of Section 31-75-43, City of Council Bluffs, Pottawattamie County, Iowa. (Location: West of 800 Hawthorne Court.)

### Background/Discussion

The Community Development Department has received a request from Scott H. Peters, represented by Dan Ozaydin, to vacate and dispose of a portion of Skyline Drive, as described above. The applicant owns property (Lot 2, Referee's Subdivision) that abuts the subject right-of-way to the north and west and has a buyer who wants to purchase the land to build a new single-family residential dwelling upon it. The abutting Skyline Drive right-of-way is unimproved and inaccessible to vehicular/pedestrian traffic at this time. The applicant wishes to vacate the right-of-way so that they can acquire their portion and use it as a driveway for the proposed new dwelling.

The subject right-of-way is irregularly shaped and has a width of 50 feet (more/less). The right-of-way was platted as part of the Timbercrest First Addition in April 1976 to provide access to Lot 1, Timbercrest First Addition (commonly known as 800 Hawthorne Court) and was stubbed-out to provide access to a future phase of Timbercrest Subdivision. The City has no plans to improve the subject right-of-way at this time. Additionally, there are no approved plans to expand upon the Timbercrest Subdivision.

The following exhibits show the existing conditions of the subject right-of-way and surrounding properties: (see Exhibits A, B and C)

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*

There are two parcels of land that abut the subject right-of-way, as follows:

East – Single-family residential dwelling owned by Leroy and Darlene Lovely (Lot 1, Timbercrest First Addition, commonly known as 800 Hawthorne Court)

North/West – Undeveloped land owned by the applicant, Scott H. Peters (Lot 2, Referee's Subdivision)

Each abutting property owner was mailed a petition asking if they are in favor of/opposed to and/or willing to/not willing to purchase their portion of the subject right-of-way, if vacated. The following responses were received:

- Leroy and Darlene Lovely stated they are in favor of the request and are willing to purchase their portion of the vacated right-of-way for the total sum of \$346.06.
- Scott H. Peters stated he is in favor of the request and is willing to purchase his portion of the

vacated right for the total sum of 313.95.

2. *To ensure that no property owner is deprived of required and reasonable access.*

Property located at 800 Hawthorne Court is a corner lot with frontage along Hawthorne Court and Skyline Drive. The owners access their property from an improved section of Skyline Drive located immediately south of the subject right-of-way and would not be deprived of required/reasonable access. The applicant's property is an interior lot with a combined 124 feet of frontage along the north and west side of the subject Skyline Drive right-of-way. If vacated, each abutting property owners would be eligible to acquire a 25 foot-wide section of the subject right-of-way. The applicant's property would have direct access to an improved section of Skyline Drive but the lot would become non-conforming, as the width would decrease from 124 feet to 25 feet, which is less than the 50 feet required in an R-1/Single-Family Residential District.

3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*

The northerly portion of Skyline Drive was platted with the Timbercrest First Addition Subdivision and has never been fully improved as a City street. This segment currently provides functional vehicular access to one property at 800 Hawthorne Court and operates as a dead-end street. The applicant has the option to improve the subject right-of-way that abuts his property to City standards for vehicular access purposes. If vacated, the northerly segment of Skyline Drive will become a formal dead-end street without any means for emergency vehicles to turn-around. The creation of a dead-end street section is contrary to the City's adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*.

4. *To reduce or eliminate hazardous and dangerous traffic conditions.* Not applicable.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

*All City Departments and utilities were notified of the request. The following responses were received:*

- *Council Bluffs Fire Department stated they have no comments for the vacation.*
- *Public Works Departments stated they have utilities that extend to the north edge of pavement abutting the subject right-of-way. Public Works is opposed to the vacation as it would allow a driveway to enter into a public right-of-way through a dead-end road. Additionally, Public Works is concerned the dead-end road does not have sufficient geometrics to allow an emergency vehicle to turn-around.*
- *Council Bluffs Water Works stated they have a water main located along the west side of the subject right-of-way and requested an easement be retained for access/maintenance purposes, if vacated. Council Bluffs Water Works also commented that the private service line and meter pit for property at 241 East Graham is located within the subject Skyline Drive right-of-way. The customer privately owns the service line and meter pit and they are responsible for allowing Council Bluffs Water Works access to read and maintain the meter.*
- *MidAmerican Energy stated they have electrical facilities within the subject right-of-way and requested an easement be retained for access and maintenance, if vacated.*
- *Cox Communication stated they have telecommunication facilities within the subject right-of-way are opposed to the vacation at this time. Cox Communication further stated an easement to access and maintain their utilities must be retained, if vacated.*

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Not applicable.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* Not applicable.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* Not applicable.

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public*

*improvement projects and various lots acquired through delinquent taxes or assessments. Not applicable.*

*10. To establish an equitable price for surplus public property consistent with the adopted policy. Abutting property owners can acquire their portion of said street right-of-way for the amounts stated above.*

**Recommendation**

The Community Development Department recommends denial of the requested right-of-way vacation based on the following reasons:

1. The proposed right-of-way vacation will cause property legally described as Lot 2, Referee’s Subdivision to become a non-conforming lot as the lot width will decrease from 124 feet to 25 feet, as opposed to the 50 feet required in a R-1/Single-Family Residential District.
2. The proposed vacation will result in a dead-end Skyline Drive street section which is contrary to the City’s adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations; and*
3. *There are existing utilities within the subject right-of-way that must remain accessible for maintenance purposes, including a private water line that services property at 241 East Graham Avenue.*

**Public Hearing**

Speakers in favor:

1. Scott H. Peters, 241 East Graham, Council Bluffs, IA 51503
2. Dan Ozaydin, 535 West Broadway, Suite 100. Council Bluffs, IA 51503

Speakers against:

1. Linda Welch. 801 Hawthorne Court, Council Bluffs, IA 51503

**Planning Commission Recommendation**

The Planning Commission recommends approval of the requested right-of-way vacation of a portion of Skyline Drive.

VOTE: AYE 5 NAY 2 ABSTAIN 1 ABSENT 3 Motion: Carried

**ATTACHMENTS:**

Description	Type	Upload Date
SAV-17-005 Peters Skyline Drive Attach A, B and C (12-18-17) CC	Resolution	12/7/2017
SAV-17-005 Peters Skyline Drive Exhibit A, B and C (12-18-17) CC	Resolution	12/7/2017
Resoltion 17-282	Resolution	12/12/2017

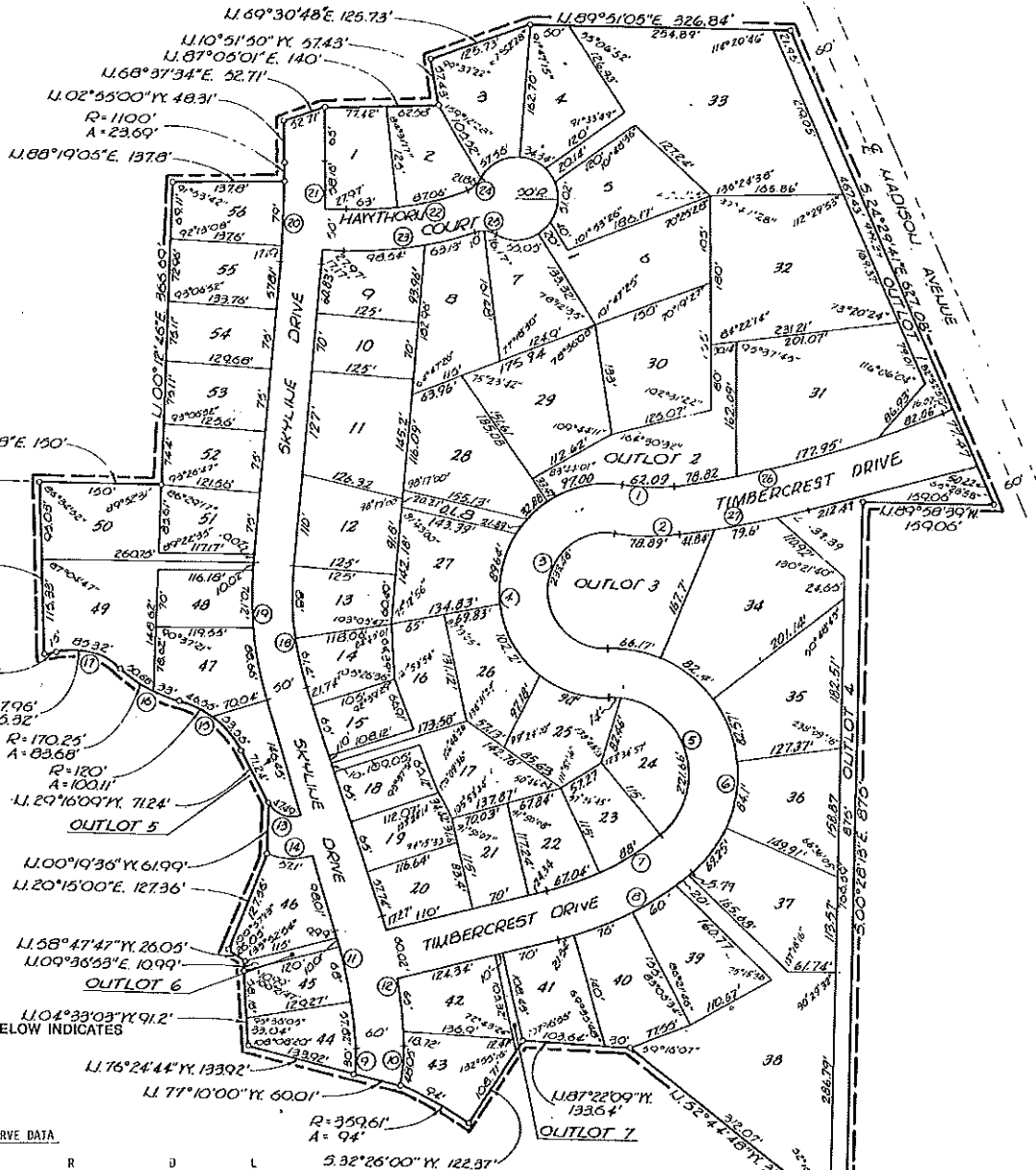
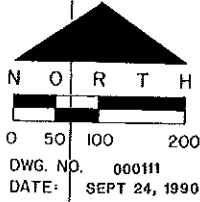
CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION  
RIGHT-OF-WAY VACATION MAP CASE #SAV-17-005



# AFFIDAVIT

# TIMBERCREST 1ST ADDITION

LOCATED IN A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., TOGETHER WITH LOT 13, GREENWOOD SUBDIVISION, ALL IN POTTAWATTAMIE COUNTY, IOWA.



NOTE: DATA WITHIN BOXES AS SHOWN BELOW INDICATES CURVE DATA THAT HAS CHANGED.

CURVE DATA

NO.	DELTA	T	R	D	L
1	16°02'18"	31.25	221.82	25.82995	62.09
2	16°02'18"	39.70	281.82	20.330637	78.89
3	191°08'24"	-719.95	70.00	81.851143	233.48
4	191°08'24"	-1337.06	130.00	44.073692	433.61
5	142°07'39"	276.90	95.00	60.311368	235.66
6	142°07'39"	451.78	155.00	36.965329	384.49
7	26°49'36"	78.97	331.14	17.302581	155.04
8	26°49'36"	93.28	391.14	14.648412	183.13
9	15°37'34"	15.09	110.00	52.08700	30.00
10	16°11'30"	24.19	170.00	33.70338	48.05
11	14°30'17"	73.30	576.00	9.94719	145.02
12	14°30'17"	80.94	636.00	9.00077	161.01
13	81°05'09"	28.71	33.56	170.72962	47.49
14	39°09'21"	29.72	83.56	68.56896	57.10
15	47°47'50"	53.17	120.00	47.74654	100.11
16	28°09'38"	42.70	170.25	33.65411	93.68
17	55°34'40"	46.36	87.96	65.13701	85.32
18	22°14'01"	75.65	385.00	14.88201	149.40
19	22°14'01"	85.48	435.00	13.17145	168.80
20	06°14'39"	60.90	1100.00	5.20871	119.88
21	06°14'39"	62.73	1150.00	4.98224	125.33
22	22°55'40"	76.05	375.00	15.27889	150.06
23	21°47'45"	81.83	425.00	13.48130	161.67
24	41°45'15"	11.44	30.00	190.98956	21.86
25	49°58'25"	13.98	30.00	190.98611	26.17
26	15°57'48"	170.52	1216.12	4.71136	338.03
27	7°13'16"	80.52	1276.12	4.489844	160.83

THIS IS TO CERTIFY THAT PART OF THE CURVE DATA TABLE FOR CURVES 2 THROUGH 8 INCLUSIVE AND CURVE 27 IN THE ORIGINAL PLATTING OF TIMBERCREST 1ST ADDITION WERE SHOWN IN ERROR AND TO FURTHER CERTIFY THAT THIS PLAT CORRECTLY SHOWS ORIGINALLY INTENDED CURVE DATA.

*Clarence Roger Carrell*  
 CLARENCE ROGER CARRELL  
 REGISTERED LAND SURVEYOR  
 IOWA L.S. #7575





**Exhibit A: View of the subject right-of-way facing north**



**Exhibit B: View of the subject right-of-way facing south**



**Exhibit C: View of the subject right-of-way and surrounding properties**



RESOLUTION NO.17-282

A RESOLUTION TO VACATE AND DISPOSE OF THAT PART OF SKYLINE DRIVE LYING NORTH OF HAWTHORNE COURT AND ABUTTING LOT 1, TIMBERCREST FIRST ADDITION AND LOT 2, REFEREE'S SUBDIVISION OF THE SOUTH ONE-HALF OF THE NE1/4 SW1/4 OF SECTION 31-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that city-owned right-of-way described as follows: Being that part of Skyline Drive lying North of Hawthorne Court, and abutting Lot 1, Timbercrest First Addition and Lot 2, Referee's Subdivision of the South ½ of the NE1/4 SW1/4 of Section 31-75-43, City of Council Bluffs, Pottawattamie County, Iowa is of no benefit to the public and should be vacated; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all of its right, title, and interest in it to the abutting property owner(s); and

WHEREAS, this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

That the above-described city right-of-way is hereby vacated and conveyed as follows:

LeRoy and Darlene Lovely and all successors in interest: The East ½ of the vacated Skyline Drive right-of-way abutting Lot 1, Timbercrest 1<sup>st</sup> Addition for total sum of \$346.05

Resolution # \_\_\_\_\_

Page 2 of 2

Scott Peters and all successors in interest: The West 1/2 of the vacated Skyline Drive right-of-way abutting Lot 2, Referee's Subdivision of the South 1/2 of the NE1/4 SW1/4 of Section 31-75-43, City of Council Bluffs, Pottawattamie County, Iowa for the total sum of \$313.95.

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described right-of-way; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code 354.23.

ADOPTED

AND

APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

Planning Case #SAV-17-005

## Council Communication

Department: Community  
Development

Case/Project No.: SAV-17-006

Resolution 17-283

Council Action: 12/18/2017

Submitted by: Christopher  
Gibbons

### Description

Resolution to vacate and dispose of a thirty foot-wide by a one hundred and seven foot-long section of South 14th Street right-of-way lying South of West Broadway and abutting properties at 25 South 15th Street and 15 South 14th Street, City of Council Bluffs, Pottawattamie County, Iowa. (Location: Abutting 25 S. 15th St. and 15 S. 14th St.)

### Background/Discussion

The Community Development Department has received a request from I P G, LLC, represented by Aaron Moser, to vacate and dispose of a section of South 14<sup>th</sup> Street right-of-way lying south of West Broadway and abutting properties located at 25 South 15<sup>th</sup> Street and 15 South 14<sup>th</sup> Street, as shown on the attached map. The applicant owns Cohoe Business Center and Storage at 25 South 15<sup>th</sup> Street and the property is zoned C-2/Commercial District. The purpose of this vacation is to allow the applicant to acquire their portion of the right-of-way so they can build additional off-street parking and 'commercial storage' for their business. A 'commercial storage' use in a C-2 District requires a conditional use permit from the Zoning Board of Adjustment. The City has no record of a conditional use permit being granted for the applicant's property, which means the existing 'commercial storage' use is considered non-conforming. If vacated, the applicant must obtain a conditional use permit from the Zoning Board of Adjustment before they can expand the 'commercial storage' use on their property.

The subject right-of-way measures 30' x 107' and is unimproved and not maintained by the City. It was originally platted at 66 feet-wide but was reduced to 30 feet after City Council approved a vacation request to rectify building encroachments into said right-of-way (see Ordinance No. 4745, adopted April 13, 1987).

The following exhibits show the existing conditions of the subject right-of-way and surrounding properties: (see Exhibit A and B)

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*

There are two parcels of land that abut the subject right-of-way, as follows:

East – A contractor shop owned by N J G Investments, LLC on property commonly known as 15 South 14<sup>th</sup> Street.

South/West - Cohoe Business Center and Storage owned by the applicant on property commonly known as 25 South 15<sup>th</sup> Street.

Each abutting property owner was mailed a petition asking if they are in favor of/opposed to and/or willing to/not willing to purchase their portion of the subject right-of-way, if vacated. Both property owners are eligible to purchase an equal amount of the right-of-way (15' x 107') for a total sum of 270.75 No responses have been received as of the date of this report.

2. *To ensure that no property owner is deprived of required and reasonable access.*

The contractor shop at 15 South 14<sup>th</sup> Street is an interior lot with 107 feet of road frontage along the subject right-of-way. This property solely relies on the subject right-of-way for access and street frontage. If vacated, the property would become a non-conforming lot as their width would decrease from 107 feet to 15 feet, as opposed to the required 50 feet in a C-2/Commercial District. The applicant's property at 25 South 15<sup>th</sup> Street is a double frontage lot and would not have their access restricted or become a non-conforming lot if the vacation request is approved.

3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*

South 14<sup>th</sup> Street, lying immediately south of West Broadway, is a dead-end street. Approval of this vacation would eliminate a portion of the dead-end street.

4. *To reduce or eliminate hazardous and dangerous traffic conditions.* Not applicable.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

All City Departments and utilities were notified of the request. The following responses were received:

- Council Bluffs Fire Department stated they have no comments for the vacation.
- Council Bluffs Police Department stated they have no objection to the vacation request.
- Council Bluffs Public Works has sewer facilities at the north and south end of the subject right-of-way. If vacated, an easement across the full width of the right-of-way must be retained to service and maintain the sewer utilities.
- Council Bluffs Water Works stated they have no utilities within the subject right-of-way but that the private service line for property at 15 South 14<sup>th</sup> Street may be located within the right-of-way. Mid-American Energy stated are opposed to the vacation request as they have overhead electrical distribution facilities within and abutting the subject right-of-way. Black Hills Energy stated they are opposed to the vacation as they have natural gas line within the subject right-of-way that cannot be built upon. Black Hills Energy further stated that any cost to relocate this gas line will be the responsibility of the applicant.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* The subject right-of-way measures 30 feet wide by 107 feet in depth and is needed to provide access and vehicle circulation to property at 15 South 14<sup>th</sup> Street.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* Not applicable.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* Not applicable.

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.

10. *To establish an equitable price for surplus public property.* Abutting property owners can acquire their portion of said street right-of-way for the amounts stated above.

## **Recommendation**

The Community Development Department recommends denial of the requested right-of-way vacation based on the following reasons:

1. Property at 15 South 14<sup>th</sup> Street is solely dependent upon the subject right-of-way for access and frontage. Approval of the vacation would impede access and cause their property to become non-conforming as the lot width would decrease from 107 feet to 15 feet, as opposed to the required 50 feet in a C-2/Commercial District; and
2. There are existing utilities within the subject right-of-way that must remain accessible for maintenance purposes; and
3. Approval of the request would allow an expansion of a non-conforming ‘commercial storage’ use on property at 25 South 15<sup>th</sup> Street.

**Public Hearing**

Speakers in favor: None.

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends denial of the requested right-of-way vacation based on the following reasons:

1. Property at 15 South 14<sup>th</sup> Street is solely dependent upon the subject right-of-way for access and frontage. Approval of the vacation would impede access and cause their property to become non-conforming as the lot width would decrease from 107 feet to 15 feet, as opposed to the required 50 feet in a C-2/Commercial District; and
2. There are existing utilities within the subject right-of-way that must remain accessible for maintenance purposes; and
3. Approval of the request would allow an expansion of a non-conforming ‘commercial storage’ use on property at 25 South 15<sup>th</sup> Street.

VOTE: AYE 8    NAY 0    ABSTAIN 0    ABSENT 3    Motion: Carried

**ATTACHMENTS:**

Description	Type	Upload Date
SAV-17-006 IPG, LLC Exhibit A and B (12-18-17) CC	Resolution	12/7/2017
Resolution 17-283	Resolution	12/12/2017

**Exhibit A: View of the subject right-of-way facing north**



**Exhibit B: Aerial view of the subject right-of-way and surrounding properties**



RESOLUTION NO.17-283

A RESOLUTION TO VACATE AND DISPOSE OF A THIRTY FOOT-WIDE BY A ONE HUNDRED AND SEVEN FOOT-LONG SECTION OF SOUTH 14<sup>TH</sup> STREET RIGHT-OF-WAY LYING SOUTH OF WEST BROADWAY AND ABUTTING PROPERTIES AT 25 SOUTH 15<sup>TH</sup> STREET AND 15 SOUTH 14<sup>TH</sup> STREET, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that city-owned right-of-way described as follows: A 30' x 107' section of South 14<sup>th</sup> Street right-of-way, lying South of West Broadway, and abutting properties at 25 South 15<sup>th</sup> Street and 15 South 14<sup>th</sup> Street, City of Council Bluffs, Pottawattamie County, Iowa is of no benefit to the public and should be vacated; and

WHEREAS, pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all of its right, title, and interest in it to the abutting property owner(s); and

WHEREAS, this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

That the above-described city right-of-way is hereby vacated and conveyed as follows:

N J G Investments, LLC and all successors in interest: The East ½ of the vacated South 14<sup>th</sup> Street right-of-way abutting property commonly known as 15 South 14<sup>th</sup> Street, being Lots 8 and 9, Block 21, Beers Subdivision and the East 20 feet of the vacated South 14<sup>th</sup> Street right-of-way adjacent for the total sum of \$270.75; and

IPG, LLC and all successors in interest: The West 1/2 of the vacated South 14<sup>th</sup> Street right-of-way abutting property commonly known as 25 South 15<sup>th</sup> Street, being Lots 17 and 18, Block 22 Beer’s Subdivision and the West 16 feet of the vacated South 14<sup>th</sup> Street right-of-way adjacent for the total sum of \$270.75; and

BE IT FURTHER RESOLVED

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described right-of-way; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code 354.23.

ADOPTED  
AND

APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Greg Reeder, Public  
Works Director

Resolution 17-284

Council Action: 12/18/2017

### Description

Resolution to apply for FY 2017 statewide federal capital assistance through the Iowa DOT for the purchase of new vehicles for the Special Transit Service.

### Background/Discussion

The City's Special Transit Service currently utilizes three light duty buses to provide specialized transportation for the disabled citizens of Council Bluffs. These vehicles are in active service and the City has maintained an additional vehicle which provides backup service when necessary to meet service demands or when one or more vehicles are down for repairs.

The vehicle to be replaced is a 2012 model and has in excess of 129,000 miles, well beyond the 100,000 mile replacement threshold recognized by the transit industry for light-duty buses.

The 2017 Transportation Improvement Program developed by MAPA included a replacement vehicle for the Council Bluffs Special Transit Service. Federal funding has been approved for 85% of the cost, with a federal funds ceiling of \$82,600.

Prior to receiving the federal funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of federal funds for the purchase of Special Transit vehicles, the Authorizing Resolution and copy of city council minutes of the meeting where the public hearing is held.

The FY18 transit budget includes \$15,000 for the City's 15% local match.

### Recommendation

That the City Council approves submission of the Authorizing Resolution for FY 2017 statewide federal capital assistance.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-284	Resolution	12/12/2017

RESOLUTION  
NO. 17-284

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION  
FOR FY 2017 STATEWIDE FEDERAL CAPITAL ASSISTANCE THROUGH  
THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE  
OF A NEW VEHICLE FOR THE SPECIAL TRANSIT SERVICE

- WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$82,600 in FY17 statewide federal capital assistance for use in purchasing a new vehicle for the City's Special Transit Service; and
- WHEREAS, a public hearing notice was published as required by law, and the public hearing was held on December 18, 2017; and
- WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for FY 2017 statewide federal capital assistance to the Iowa DOT; and

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized and directed to submit an Authorizing Resolution for FY 2017 statewide federal capital assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED  
AND  
APPROVED December 18, 2017

\_\_\_\_\_  
Matthew J Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by: Richard Wade

Resolution 17-285

Council Action: 12/18/2017

### Description

Resolution authorizing and approving partial release of easement and a release of easement for the sanitary sewer line on the Safe & Sound Storage, Inc. (Location:1911 Rue Street)

### Background/Discussion

The City has received a request for a Partial Release and a Release of sanitary sewer easements across a parcel commonly referred to as 1911 Rue Street in Council Bluffs. This property is in the process of being sold and the lending institution wants these easements addressed prior to closing. The easements in question were initially acquired by the Bennett Avenue Development Company for the installation of sanitary sewer in this area. Upon the annexation of this area by the City, the easements were assigned to the City but the City ultimately provided sanitary sewer services to this area from an easement across an abutting parcel, leaving the easements in question of no value to the City. A letter from the counsel for the acquiring party is attached.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Easement	Other	12/11/2017
PH Notice	Other	12/11/2017
Resolution 17-285	Resolution	12/12/2017



ADAMS & SULLIVAN<sup>PC, LLO</sup>  
ATTORNEYS AT LAW

PATRICK J. SULLIVAN\*  
TIMOTHY J. BUCKLEY  
C.G. (DOOLEY) JOLLY

\*ALSO LICENSED IN IOWA

1246 GOLDEN GATE DRIVE, STE. 1  
PAPILLION, NEBRASKA 68046-2843  
TELEPHONE: (402) 339-9550  
FAX: (402) 339-0401  
WWW.ADAMSANDSULLIVAN.COM

MOLLY J. MILLER\*\*  
DIXON G. ADAMS  
(1924 - 2009)

\*\*ALSO LICENSED IN ILLINOIS

December 7, 2017

Mark Augustine  
[maugustine@councilbluffs-ia.gov](mailto:maugustine@councilbluffs-ia.gov)

RE: Safe & Sound Storage and Over Properties

Dear Mark,

I represent Cornerstone Storage, LLC which is in the process of purchasing Safe & Sound Storage ("S&S") and the Over (immediately south of S&S) properties. Both properties are encumbered by a sanitary sewer line easement. On the S&S property, the easement encumbers existing buildings that are located on the property and the bank is requiring the buyer to resolve the problem.

The first attachment is a topographic land survey in which the actual sewage line is just east of the S&S property and then just east of the railroad property that is east of the Over property. The survey does not show the easement on the railroad property as it is not the subject of the purchase agreement.

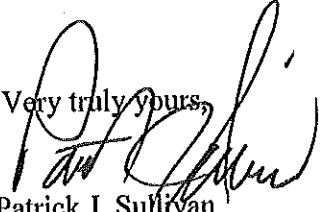
The second attachment is a partial release of the easement that encumbers the S&S property except the east 20' and a copy of the title commitment showing the easement. Based upon the reservation of 20', it would appear that the city would have approximately another 10' between the sewer and the property line for a total of 30' west of the sewer line.

The third attachment is the release of the entire easement on the Over property and the title commitment showing the easement. This would be a releasing of the 25' as shown on the survey with the easement still fully on the railroad property to the east for the time being as it is not subject to the sale.

No new easements would be necessary on either property or the original easement on S&S property would be retained for the east 20' and no release of the railroad property to the east of the Over property would be given at this time. If this request requires that it be made by the present landowners, I can certainly facilitate that, but the release requires no action on their part.

I look forward to your response.

Very truly yours,

  
Patrick J. Sullivan

PJS/jlf  
Encs.

cc. Ryan Steele



Record & Return to:  
Adams & Sullivan, P.C., L.L.O.  
1246 Golden Gate Drive, Suite 1  
Papillion, NE 68046

**PARTIAL RELEASE OF EASEMENT**

Know all men by these presents:

That the City of Council Bluffs, Iowa, a municipal corporation, does hereby release and discharge the Assignment of Easements dated November 20, 1967 as it pertains to the property legally described on the attached Exhibit "A" (the "Property") except to the extent of the east twenty (20) feet of said Property, which Assignment is recorded in the records of Pottawattamie County, Iowa, in Book 1450 Page 1.

Dated this \_\_\_\_ day of December 2017.      City of Council Bluffs, Iowa,  
A Municipal Corporation

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF IOWA )  
 )ss  
COUNTY OF POTTAWATTAMIE )

The undersigned, a notary public qualified in and for said county, does hereby certify that \_\_\_\_\_, whose names as Mayor and City Clerk respectively, of the City of Council Bluffs, Iowa, a municipal corporation, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

Witness my hand and notarial seal this \_\_\_\_ day of December 2017.

\_\_\_\_\_  
Notary Public

**EXHIBIT "A"**

**A part of the abandoned Right-of-Way of the Chicago Rock Island and Pacific Railroad; a part of the Auditor's Subdivision Lots 6 and 7 of the SW1/4 NW1/4, and a part of Lot 2 of the NW1/4 SW1/4, all in Section 5; a part of Lots 7 and 8 of the SE1/4 NE1/4 and a part of Lot 3 of the NE1/4 SE1/4 of Section 6, all in Township 74, Range 43, in the City of Council Bluffs, Pottawattamie Count, Iowa, which is more particularly described as follows: Commencing at the West 1/4 Corner of said Section 5, thence N 08°17'45" W, 6.67 feet to the point of beginning; thence N 39°19'15" W, 145.00 feet; thence N 49°49'00" E, 190.30 feet; thence S 50°53'05" E, 299.34 feet; thence S 16°23'40" W, 273.42 feet; thence N 89°47'10" W, 398.58 feet; thence N 41°30'25" E, 286.69 feet to the point of beginning. Note: The West line of the SW1/4 NW1/4 of said Section 5 is assumed to bear due North and South.**

# Old Republic National Title Insurance Company

## Schedule A ALTA COMMITMENT

File No. 26069C-17

1. Commitment Date: August 25, 2017 at 8:00am

2. Policy to be issued:

(a) 2006 ALTA Owner's Policy Proposed Policy Amount: \$1,230,000.00  
Premium: \$2,500.00

Proposed Insured: Cornerstone Storage, LLC, a Nebraska limited liability company

(b) 2006 ALTA Loan Policy Proposed Policy Amount: TBD  
Premium: \$75.00

Proposed Insured: Lender to be named, its successors and/or assigns as their interests may appear

(c) Endorsements to be issued:

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. Title to the estate or interest in the Land is at the Commitment Date vested in:

Safe & Sound Storage, Inc., an Iowa corporation Vesting Deed

5. The Land is described as follows:

**SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION**

Issued through the Office of:

TitleCore National, LLC  
9140 West Dodge Road, Suite 380  
Omaha, NE 68114



Authorized Signatory

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

ORT Form 4690 NE A 8-1-16  
Schedule A  
ALTA Commitment for Title Insurance

# Old Republic National Title Insurance Company

## Schedule B - I ALTA COMMITMENT

File No. 26069C-17

### REQUIREMENTS

All of the following requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
  - a. Corporation Warranty Deed executed by Safe & Sound Storage, Inc., an Iowa corporation, in due corporate form and signed by its authorized signatory(ies), in favor of Cornerstone Storage, LLC, a Nebraska limited liability company.
  - b. Loan documents from Cornerstone Storage, L.L.C., a Nebraska limited liability company, executed by its authorized manager, member or officer(s) in accordance with its articles of organization, operating agreement and any amendments thereto, in favor of , securing a specific stated amount or maximum indebtedness.
5. Groundwater Hazard Statement and Declaration of Value to be executed by the Seller(s) and provided to Company.
6. Title Company requires compliance with Section 455B.172 of the Iowa Code regarding septic inspections prior to ownership transfer.
7. Articles of Incorporation and any amendments thereto, along with a certified copy of Corporate Resolution of Safe & Sound Storage, Inc., a Iowa corporation, be furnished to this Company authorizing the transaction contemplated herein, and setting forth the authorized signatory(ies) to the pertinent documents.
8. A complete copy of the Certificate of Organization, the Operating Agreement and any amendments thereto for Cornerstone Storage, LLC, a Nebraska limited liability company, must be furnished to this Company for our review. NOTE: The Company hereby reserves the right to make further requirements as may be necessary after review of the said documents. Note: Certificate of Organization and Operating Agreement received by Title Company.
9. Evidence satisfactory to the Company that all necessary consents, authorizations, resolutions, notices or other action required under applicable law or the organizational documents of Cornerstone Storage, LLC, a Nebraska limited liability company with regard to the subject transaction and the execution of all documents pertaining thereto have been conducted, given or properly waived.
10. REQUIRE execution of the Affidavit Regarding Owner by the titleholder.
11. In order to delete the standard exception to survey, as shown on this Commitment, we REQUIRE a current comprehensive ALTA/NSPS survey of the premises showing location of all improvements, easements and encroachments thereon, and that it be duly certified by a Registered Land Surveyor, in manner acceptable to this Company.
12. Upon receipt of an acceptable survey and the Affidavit Regarding Owner required above, the standard exception to rights

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

and claims of parties in possession, as shown on this commitment, will be deleted and the following language will appear in lieu thereof: Rights and claims of lessees/tenants under unrecorded leases, contracts and/or verbal agreements.

**NOTE:** Please order a verbal update from this title company prior to closing this transaction to determine any matters appearing of record after the effective date of this commitment.

**NOTE:** Please notify this Company when all requirements have been met so that we may issue the final policy.

# Old Republic National Title Insurance Company

## Schedule B - II ALTA COMMITMENT

File No. 26069C-17

### EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER INDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, encumbrances, violations or adverse circumstances affecting the Title that would be disclosed by an accurate and complete land survey of the Land, which are not shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien or right to a lien, for services, labor or material heretofore furnished, imposed by law and not shown by the public records.

#### Special Exceptions:

6. General taxes for 2016/2017 due September 30, 2017 and payable in 2017 and 2018 total \$16,612.00, unpaid, 2nd installment becomes delinquent on October 2, 2017, 2nd installment becomes delinquent on April 2, 2018. Tax ID Number: 7443-05-301-001.
  - a. The lien of the general taxes for 2016/2017, not yet due or payable but becoming due September 30, 2017 and payable in 2017 and 2018, and all subsequent taxes and special assessments, including but not limited to those now pending, assessed or levied, not yet certified to the Office of the County Treasurer for collection at the date hereof.
7. Terms and provisions of Easement in favor of Standard Oil Co., filed August 25, 1941 in Book 876 at Page 86, records of Pottawattamie County, Iowa for the right to lay, maintain, operate, replace, change or remove a pipe line, on, over and thru a portion of subject property as described therein.
  - a. Assigned to The American Oil Company by Assignment of Rights of Way filed March 2, 1966 in Book 1276 at Page 21, records of Pottawattamie County, Iowa.
  - b. Patial Release of Right of Way Contract filed February 11, 1970 in Book 1499 at Page 281, records of Pottawattamie County, Iowa.
8. Bill of Sale and Assignment of Easements filed November 20, 1967 in Book 1450 at Page 1, records of Pottawattamie County, Iowa, assigning easements to the City of Council Bluffs, Iowa. Note: said document indexed against subject property without explanation of easements being assigned.

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

9. **Terms and provisions of Easement in favor of James P. Ziolkowski and Carmen F. Ziolkowski filed September 6, 1983 at Instrument No. 84-4617, records of Pottawattamie County, Iowa for the right to install, repair, maintain, alter and operate a sanitary sewer in, into, upon, over, across and under a strip of land 10 feet as described therein.**
10. **Subject to any and all unrecorded leases, contracts, and or verbal agreements.**

Record & Return to:  
Adams & Sullivan, P.C., L.L.O.  
1246 Golden Gate Drive, Suite 1  
Papillion, NE 68046

### RELEASE OF EASEMENT

Know all men by these presents:

That the City of Council Bluffs, Iowa, a municipal corporation, does hereby release and discharge the Easement as it pertains to the property legally described on the attached Exhibit "A" (the "Property"), which Easement is recorded October 5, 1956 in the records of Pottawattamie County, Iowa, in Book 1276 Page 21. Said Easement being subsequently assigned pursuant to an Assignment of Easement filed February 2, 1967 in Book 1433 at Page 219 records of Pottawattamie County, Iowa and further assigned pursuant to a Bill of Sale and Assignment of Easements filed November 20, 1967 in Book 1450 at Page 1, records of Pottawattamie County, Iowa.

Dated this \_\_\_\_ day of December 2017.

City of Council Bluffs, Iowa,  
A Municipal Corporation

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

STATE OF IOWA )

)ss

COUNTY OF POTTAWATTAMIE )

The undersigned, a notary public qualified in and for said county, does hereby certify that \_\_\_\_\_, whose names as Mayor and City Clerk respectively, of the City of Council Bluffs, Iowa, a municipal corporation, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

Witness my hand and notarial seal this \_\_\_\_ day of December 2017.

\_\_\_\_\_  
Notary Public

EXHIBIT "A"

That part of Lot 3, Auditor's Subdivision of division NE ¼ SE ¼ of Section 6; and part of Lot 2, Auditor's Subdivision of the NW ¼ SW ¼ of Section 5, Township 74, Range 43, Pottawattamie county, Iowa described as follows: Commencing at a point on easterly line of Madison Avenue at a point 12.37 chains, East and South 11°42' East 209.5 feet, from NW corner of said NE 1/4 SE 1/4 of Section 6, and from said commencement point running along the East line of Madison Avenue, South 11°42' East 594.4 feet or to the right of way of Chicago Great Western Railroad Company, thence northeasterly along the northwesterly line of said right of way 493.7 feet to westerly line of right of way of Chicago Rock Island & Pacific Railroad Company, thence northeasterly along said right of way 313.5 feet, thence West in a direct line 598.3 feet to place of beginning, EXCEPTING therefrom the following described tract of land:

Commencing at a point on easterly line of Madison Avenue at a point which 256 feet northerly from the northerly line of the right of way of Chicago Great Western Railroad Company and running thence southerly to northerly line of said Railroad right of way, thence northeasterly along said right of way to its intersection with the West line of right of way of Chicago Rock Island and Pacific Railroad Company, thence westerly in a direct line 432 feet, more or less, to place of beginning, all in Pottawattamie County, Iowa, and further excepting that portion deeded to the State of Iowa on January 31, 1967, by Warranty Deed filed on February 2, 1967, in the Office of the Pottawattamie County Recorder, Book 1432, Page 209, and more fully described as follows, to wit: A parcel of land located in Lot 3, Auditor's Subdivision of the NE 1/4 SE ¼ of Section 6, T74N, R43W of the 5th P.M. Pottawattamie County, Iowa, lying on both sides of part of the following described centerline of the Relocated County Road as shown on Official plans for Project I-IG-80(3)0--04-78.

The centerline, designated by station points 100 feet apart, numbered consecutively from Southerly to Northeasterly, is described as follows: Commencing at the E 1/4 Corner of said Section 6, thence North 584.44 feet along the East line of said Section 6, thence N 85°43 ½' E 293.33 feet to Station 3057+74.24, the Point of Beginning, thence S30°43 1/2' W 147.56 feet to Station 3056+26.58, thence Southwesterly 252.54 ft. along a 764 feet radius curve, concave Northwesterly and tangent to the preceding and following courses, to Station 3053+74.14, thence S49°40' W 534.53 feet to Station 3048+39.61, thence Southerly 364.31 feet along a 358.13 foot radius curve, concave Easterly and tangent to the preceding course, to Station 3044+75.30.

Said parcel is described as follows: All that part of Lot 3, that lies westerly of a line beginning at a point 33 feet normally distant easterly from Sta. 3044+75.3, a point on the easterly line of Madison Avenue, thence to a point 33 feet radially distant easterly from centerline, on the south line of the north 209.5 feet (measured along the east line of Madison Avenue) of said Lot 3, thence along said south line of the north 209.5 feet of Lot 3, to the easterly line of Madison Avenue.

Note: The East line of the NE ¼ of said Section 6 is assumed to bear due North and South.

AND EXCEPTING that part conveyed to the City of Council Bluffs, Iowa filed April 22, 2013 at Instrument No. 2013-06127, records of Pottawattamie County, Iowa and further described as: A parcel of land located in Lot 3 of Auditor's Subdivision of NE 1/4 SE 1/4 of Section 6, T74N, R43W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, more particularly described as follows: Commencing at the E 1/4 Corner of said Section 6, thence S 1°45'51" W 208.81 feet along the East line of the NE 1/4 SE 1/4 of said Section 6; thence N 88°02'12" W 342.27 feet to the Point of Beginning; thence S 22°25'25" W 122.93 feet; thence S 10°42'22" W 213.45 feet to a point on the present Easterly right of way line of Rue Street; thence N 7°01'22" W 139.04 feet along said present easterly right of way line; thence N 9°05'18" E 190.27 feet along said present easterly right of way line; thence S 88°02'12" E 73.53 to the Point of Beginning.

Survey for info only

# Old Republic National Title Insurance Company

## Schedule A ALTA COMMITMENT

File No. 26068C-17

1. Commitment Date: September 25, 2017 at 8:00am

2. Policy to be issued:

(a) 2006 ALTA Owner's Policy

Proposed Policy Amount: \$50,000.00  
Premium: \$205.00

Proposed Insured: Cornerstone Storage, LLC, a Nebraska limited liability company

(b) 2006 ALTA Loan Policy

Proposed Policy Amount: TBD  
Premium: \$75.00

Proposed Insured: Lender to be named, its successors and/or assigns as their interests may appear

(c) Endorsements to be issued:

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. Title to the estate or interest in the Land is at the Commitment Date vested in:

Oliver O. Over Jr. and Linda S. Over, as joint tenants Vesting Deed

5. The Land is described as follows:

SEE EXHIBIT "A" HERETO ATTACHED FOR LEGAL DESCRIPTION

Issued through the Office of:

TitleCore National, LLC  
9140 West Dodge Road, Suite 380  
Omaha, NE 68114



Authorized Signatory

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

ORT Form 4690 NE A 8-1-16  
Schedule A  
ALTA Commitment for Title Insurance

# Old Republic National Title Insurance Company

## Schedule B - I ALTA COMMITMENT

File No. 26068C-17

### REQUIREMENTS

All of the following requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
  - a. Warranty Deed executed by Oliver O. Over Jr. and Linda S. Over, stating marital status and signed by spouses, if any, in favor of Cornerstone Storage, LLC, a Nebraska limited liability company.
  - b. Loan documents from Cornerstone Storage, L.L.C., a Nebraska limited liability company, executed by its authorized manager, member or officer(s) in accordance with its articles of organization, operating agreement and any amendments thereto, in favor of Lender to be named, securing a specific stated amount or maximum indebtedness.
5. A complete copy of the Articles of Organization, the Operating Agreement and any amendments thereto for Cornerstone Storage, LLC, a Nebraska limited liability company, must be furnished to this Company for our review. NOTE: The Company hereby reserves the right to make further requirements as may be necessary after review of the said documents. Note: Operating Agreement and Certificate of Organization received by Title Company.
6. Evidence satisfactory to the Company that all necessary consents, authorizations, resolutions, notices or other action required under applicable law or the organizational documents of Cornerstone Storage, LLC, a Nebraska limited liability company with regard to the subject transaction and the execution of all documents pertaining thereto have been conducted, given or properly waived.
7. Groundwater Hazard Statement and Declaration of Value to be executed by the Seller(s) and provided to Company.
8. Title Company requires compliance with Section 455B.172 of the Iowa Code regarding septic inspections prior to ownership transfer.
9. REQUIRE execution of the Affidavit Regarding Owner by the titleholder.
10. In order to delete the standard exception to survey, as shown on this Commitment, we REQUIRE a current comprehensive ALTA/NSPS survey of the premises showing location of all improvements, easements and encroachments thereon, and that it be duly certified by a Registered Land Surveyor, in manner acceptable to this Company.
11. Upon receipt of an acceptable survey and the Affidavit Regarding Owner required above, the standard exception to rights and claims of parties in possession, as shown on this commitment, will be deleted and the following language will appear in lieu thereof: Rights and claims of lessees/tenants under unrecorded leases, contracts and/or verbal agreements.

NOTE: Please order a verbal update from this title company prior to closing this transaction to determine any matters appearing of record after the effective date of this commitment.

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

**NOTE:** Please notify this Company when all requirements have been met so that we may issue the final policy.

# Old Republic National Title Insurance Company

## Schedule B - II ALTA COMMITMENT

File No. 26068C-17

### EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER INDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, encumbrances, violations or adverse circumstances affecting the Title that would be disclosed by an accurate and complete land survey of the Land, which are not shown by the public records.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien or right to a lien, for services, labor or material heretofore furnished, imposed by law and not shown by the public records.

### Special Exceptions:

6. 2016/2017 general taxes due September 30, 2017 and payable in 2017 and 2018 total \$980.00, 1st installment unpaid and becomes delinquent on October 2, 2017, 2nd installment is unpaid and becomes delinquent on April 2, 2018. (Parcel No. 744306428008) Taxed as: Aud Sub NE SE Sly 300' Nly 500' Lot 3 lying east of road 6-74-43.
  - a. 2016/2017 general taxes due September 30, 2017 and payable in 2017 and 2018 total \$148.00, 1st installment unpaid and becomes delinquent on October 2, 2017, 2nd installment is unpaid and becomes delinquent on April 2, 2018. (Parcel No. 744305301003) Taxed as: Aud Sub NW SW 5-74-43 S313.5' N521.64' Lot 2.
7. Terms and provisions of Easement in favor of Standard Oil Co., filed August 25, 1941 in Book 876 at Page 26, records of Pottawattamie County, Iowa for the right to lay, maintain, operate, replace, change or remove a pipe line, on, over and thru a portion of subject property as described therein.
  - a. Assigned to The American Oil Company by Assignment of Rights of Way filed March 2, 1966 in Book 1276 at Page 21, records of Pottawattamie County, Iowa.
8. Terms and provisions of Easement in favor of Standard Oil Co., filed August 25, 1941 in Book 876 at Page 69, records of Pottawattamie County, Iowa for the right to lay, maintain, operate, replace, change or remove a pipe line, on, over and thru a portion of subject property as described therein.
  - a. Assigned to The American Oil Company by Assignment of Rights of Way filed March 2, 1966 in Book 1276 at Page 21, records of Pottawattamie County, Iowa.

*This page is only part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions.*

9. Terms and provisions of Easement in favor of Standard Oil Co., filed August 25, 1941 in Book 876 at Page 86, records of Pottawattamie County, Iowa for the right to lay, maintain, operate, replace, change or remove a pipe line, on, over and thru a portion of subject property as described therein.
  - a. Assigned to The American Oil Company by Assignment of Rights of Way filed March 2, 1966 in Book 1276 at Page 21, records of Pottawattamie County, Iowa.
10. Terms and provisions of Easement in favor of Harmony Homes and River bend Construction Company, Inc., filed October 5, 1956 in Book 1162 at Page 239, records of Pottawattamie County, Iowa, for a strip of land 25 foot wide adjacent to the right of way of the C R I and P Railroad Co as described therein for the purpose of the installation, operation and maintenance of a main line sanitary sewer together with the necessary laterals, manholes and appurtenances thereto.
  - a. Assignment of Easement Bennett Avenue Development Corporation by Assignment of Easement filed February 2, 1967 in Book 1433 at Page 219, records of Pottawattamie County, Iowa.
  - b. Bill of Sale and Assignment of Easements filed November 20, 1967 in Book 1450 at Page 1, records of Pottawattamie County, Iowa, assigning said easement to the City of Council Bluffs, Iowa.
11. Terms, provisions and restrictions as set forth in Iowa Department of Transportation Purchase Agreement filed March 6, 2013 at Instrument No. 2013-03662, records of Pottawattamie County, Iowa.
12. Subject to any and all unrecorded leases, contracts, and or verbal agreements.

9. Terms and provisions of Easement in favor of Standard Oil Co., filed August 25, 1941 in Book 876 at Page 86, records of Pottawattamie County, Iowa for the right to lay, maintain, operate, replace, change or remove a pipe line, on, over and thru a portion of subject property as described therein.
  - a. Assigned to The American Oil Company by Assignment of Rights of Way filed March 2, 1966 in Book 1276 at Page 21, records of Pottawattamie County, Iowa.
10. Terms and provisions of Easement in favor of Harmony Homes and River bend Construction Company, Inc., filed October 5, 1956 in Book 1162 at Page 239, records of Pottawattamie County, Iowa, for a strip of land 25 foot wide adjacent to the right of way of the C R I and P Railroad Co as described therein for the purpose of the installation, operation and maintenance of a main line sanitary sewer together with the necessary laterals, manholes and appurtenances thereto.
  - a. Assignment of Easement Bennett Avenue Development Corporation by Assignment of Easement filed February 2, 1967 in Book 1433 at Page 219, records of Pottawattamie County, Iowa.
  - b. Bill of Sale and Assignment of Easements filed November 20, 1967 in Book 1450 at Page 1, records of Pottawattamie County, Iowa, assigning said easement to the City of Council Bluffs, Iowa.
11. Terms, provisions and restrictions as set forth in Iowa Department of Transportation Purchase Agreement filed March 6, 2013 at Instrument No. 2013-03662, records of Pottawattamie County, Iowa.
12. Subject to any and all unrecorded leases, contracts, and or verbal agreements.

**NOTICE OF PUBLIC HEARING  
ON INTENT TO VACATE CITY PROPERTY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to grant a Partial Release of Easement and a Release of Easement for the sanitary sewer line on property owned by Safe & Sound Storage, Inc. located at 1911 Rue Street.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 18<sup>th</sup> day of December, 2017 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

---

Jodi Quakenbush

City Clerk

**RESOLUTION NO. 17-285**

**A RESOLUTION AUTHORIZING AND APPROVING PARTIAL RELEASE OF EASEMENT AND A RELEASE OF EASEMENT FOR THE SANITARY SEWER LINE ON THE SAFE & SOUND STORAGE, INC. PROPERTY LOCATED AT 1911 RUE STREET.**

**WHEREAS,** Adams & Sullivan, P.C. on behalf of Cornerstone Storage, LLC has submitted a request for a Partial Release of Easement and a Release of Easement concerning property owned by Safe & Sound Storage, Inc. and located at 1911 Rue Street, Council Bluffs, Iowa; and

**WHEREAS,** These easements were initially acquired by the Bennett Avenue Development Company for the installation of the sanitary sewer in this area and subsequently assigned to the City of Council Bluffs, Iowa; and

**WHEREAS,** The City of Council Bluffs, Iowa (“City”) acknowledges a certain plat containing an easement for sanitary sewer interests granted to the City bearing the date of November 20, 1967, and recorded in the office of the Recorder of Pottawattamie County, Iowa in Book 1450, Page 1 in portions of the property known as Safe & Sound Storage, Inc. and the Over properties as legally described in the “Partial Release of Easement-Exhibit ‘A’”; and

**WHEREAS,** The City of Council Bluffs, Iowa (“City”) further acknowledges a certain plat containing an easement for sanitary sewer interests granted to the City originally recorded on October 5, 1956 in the records of Pottawattamie County, Iowa, in Book 1276, Page 21 and subsequently assigned pursuant to an Assignment of Easement filed February 2, 1967 in Book 1433, Page 219 in the records of Pottawattamie County, Iowa and further assigned pursuant to a Bill of Sale and Assignment of Easements filed November 20, 1967 in Book 1450, Page 1 at records of Pottawattamie County, Iowa, in portions of the property known as Safe & Sound Storage, Inc. and the Over properties legally described in the “Release of Easement-Exhibit ‘A’”; and

**WHEREAS,** There is no need for the sanitary sewer easement interest described herein and the public would not be inconvenienced by reason of the release of the easements and it is in the best interest of the City of Council Bluffs to execute these Releases.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

Following the Public Hearing and approval, the Mayor is hereby authorized to execute the Partial Release of Easement and the Release of Easement pertaining to the properties described above.

ADOPTED  
AND  
APPROVED

December 18, 2017.

---

MATTHEW J. WALSH

Mayor

Attest:

---

JODI QUAKENBUSH

City Clerk

## Council Communication

Department: Health  
Case/Project No.: Public Health  
Department  
Submitted by: Steve Carmichael

Resolution 17-186

Council Action: 12/18/2017

### Description

Resolution assessing the unpaid costs of weed abatements against property.

### Background/Discussion

This item is a resolution assessing \$8,043.00 in unpaid costs of weed abatement against these Properties. It is recommended that Council pass this resolution.

#### PERTINENT FACTS

The properties were inspected by personnel of the Department of Public Health and found to contain weeds, brush and/or debris in violation of City Ordinance 4.19.010 or 8.54.010. The titleholder of record was notified by mail of the violation and given at least seven (7) days to abate the nuisance.

#### CASE HISTORY

Upon failure of the owner to comply with the notice the property was referred to the city contractor who abated the weeds, brush and/or debris. The city was billed for this work and has paid the contractor. We have in turn sent a statement to the titleholder of record requesting payment of this amount plus the cost to the city for enforcing the ordinance. To date, payment has not been received and at least ten (10) days have elapsed from the date of billing.

The Council has for the past thirty-six years assessed all costs of weed abatement against other properties.

#### ALTERNATIVE ACTIONS

City Ordinance states that these unpaid costs “may be assessed, therefore, there are two major alternatives possible:

1. Take no action: The cost of the abatement at these properties will be paid from the general fund. Thus, the cost will be spread among all taxpayers including the vast majority who care for their property and keep it cut.

Asses the costs to the specific property: Thus, the responsible property owner will bear the cost of failing to comply with City Ordinance (unless they choose not to pay the taxes). In addition to all costs incurred, an additional \$5.00 has been added to each amount to help pay for the extra work involved in the assessment process.

### Recommendation

The Chief Building Official is recommending that the Council adopt alternative 2: Assessment of all costs against the properties. This resolution accomplishes this alternative.

### ATTACHMENTS:

Description	Type	Upload Date
Location by parcel of unpaid abatements	Resolution	12/6/2017



	2017	Quarter 4 Began August 17, 2017		
Parcel	Address	Description	Name	Num Lien
7444 10 385 010	4017 BEL AIR DR	TWIN CITIES PLAZA LOT 206	LARSEN, ANTHONY-DAWN	177 \$155.00
7444 10 385 010	4017 BEL AIR DR	TWIN CITIES PLAZA LOT 206	LARSEN, ANTHONY-DAWN	226 \$155.00
7444 16 254 040	3514 STUART BLVD	MOORES SUB LT 21 BLK 4 SW NE 16-74-44	BANKS, ROBIN	225 \$155.00
7543 30 311 001	100 FRANK ST	VOORHIS ADD WLY1/2 NLY83' LT 20 BLK 2	PODENDORF, DAVID A	221 \$209.00
7544 25 182 003	817 MILITARY AVE	ROHRER PARK 2ND ADD S44' LTS 5 THRU 7 BLK 6	SHOCKEY, THOMAS E	187 \$155.00
7544 25 278 005	LT N OF 278 BENTON ST	JOHNSON ADD PT LT 52 COMM 50'N SE COR LT 52 TH W49.85' N47' E50' S44.1' TO POB	BERNER, WILLIAM A-JENNIFER L	209 \$155.00
7544 25 279 004	332 HYDE AVE	DICKEY PLACE LT 5 W5 FT LT 6 BLK 1	HAMILTON, MARK R	202 \$188.00
7544 25 309 007	830 AVE E	HALLS ADD LT 12 BLK 8	TWO LEG LLC	216 \$186.00
7544 25 355 015	224 N 8TH ST	GRIMES ADD N33' LT 1 BLK 5	WELLS FARGO BANK NA	212 \$155.00
7544 25 356 002	VAC LT S OF 215 N 8 ST	GRIMES ADD N26' W94' EXC 3.5' LT 7 BLK 3	BIG CAT INC	211 \$155.00
7544 25 356 003	2ND VAC LT S OF 215 N 8 ST	GRIMES ADDITION S32 FT W94 FT LT 7 BLK 3	ATHAY, WILLIAM T III	210 \$155.00
7544 25 360 006	LT N OF 743 MYNSTER ST	GRIMES ADDITION EX W84.6 FT LT 1 BLK 3	MEEHAN, BRIAN	192 \$155.00
7544 25 487 014	110 STUTSMAN ST	STUTSMANS FIRST ADD N10' LT 6 BLK 3 & S10' LT 7 BLK 3	WORTH, DONALD D	170 \$182.00
7544 26 283 007	1316 AVE I	POTTER - COBBS FIRST ADD LOT 0012BLOCK 0008	HANISCH, JAMES M	191 \$160.00
7544 26 284 003	1315 AVE I	POTTER - COBBS FIRST ADD LT 4 BLK 11	COUNCIL BLUFFS DEV CORP LLC	195 \$155.00
7544 26 308 003	2219 AVE G	BURKES ADD LT 5 BLK 1	KRUSE, LAURA L	213 \$288.00
7544 26 308 004	2213 AVE G	BURKES ADD LT 4 BLK 1	VALE LLC	214 \$320.00
7544 26 308 004	2213 AVE G	BURKES ADD LT 4 BLK 1	VALE LLC	173 \$234.00
7544 26 361 004	2126 AVE C	HIGHLAND PLACE LTS 23-24 BLK 10	FIGUEROA, JOSEPH F-RACHEL A	182 \$155.00
7544 26 362 009	2101 AVE C	HIGHLAND PLACE LTS 1-2 BLK 11	MASCHMEIER, JEREMY	217 \$247.00
7544 27 354 006	3133 AVE B	CATALPA BLOCK LT 8	FULLER, FROYLAN A	227 \$274.00
7544 33 253 013	3620 6TH AVE	BROWN SUB LT 26 BLK 49	ELLIFF, GERALD N	181 \$155.00
7544 34 105 005	LT E OF 3307 2ND AVE	BRYANT AND CLARK ADD LT 1 BLK 18 N1/2 VAC E/W ALLEY	RAPAICH, JOHN	176 \$230.00
7544 34 252 012	2652 5TH AVE	WEBSTERS FIRST ADD LT 17 BLK 5 & W1/2 LT 18 BLK 5	HATHAWAY, ROBERT DOY JR	169 \$155.00
7544 34 276 009	2501 4TH AVE	WRIGHTS ADD LTS 1-2 BLK 10	HASTIE, DARREL E	174 \$155.00
7544 34 276 009	2501 4TH AVE	WRIGHTS ADD LTS 1-2 BLK 10	HASTIE, DARREL E	219 \$171.00
7544 34 279 016	522 S 24TH ST	WRIGHTS ADD E16 FT LT 44 & ALL LTS 45-46 BLK 12	WELLS FARGO BANK NA	222 \$250.00
7544 35 106 001	LT N OF 105 S 23RD ST	COCHRANS ADD ALL LT 12 BLK 6	CHICO, DAVID	171 \$362.00
7544 35 137 001	1827 3RD AVE	EVERETTS ADDITION LT 1 BLK 11 & N1/2 VAC ALLEY ADJ	LANK, PHYLLIS	175 \$165.00
7544 35 137 001	1827 3RD AVE	EVERETTS ADDITION LT 1 BLK 11 & N1/2 VAC ALLEY ADJ	LANK, PHYLLIS	208 \$165.00
7544 35 190 007	LT W OF 1816 8TH AVE	PIERCES SUB LT 11 BLK 11	L B T IOWA 9591	206 \$162.00
7544 35 287 014	1120 8TH AVE	MCMAHON-COOPER-JEFFERIS LT 12 BLK 10	A C M VISION V LLC	228 \$282.00
7544 35 289 008	1201 8TH AVE	MCMAHON-COOPER- JEFFERIS E361/2 FT LT 1 BLK 12	EDIE, BUDDY LEE	201 \$451.00
7544 36 108 006	215 S 10TH ST	BAYLISS 2ND ADD N51 1/2' LT 6 BLK 11	MCGOVERN, DANIEL E	198 \$182.00
7544 36 108 006	215 S 10TH ST	BAYLISS 2ND ADD N51 1/2' LT 6 BLK 11	MCGOVERN, DANIEL E	223 \$174.00
7544 36 184 010	716 S 7TH ST	HYATTS SUB LT 4 BLK 11	CROWTHER, SUZANNE	229 \$782.00
7544 36 262 004	706 S 3RD ST	JACKSONS ADDITION LT 2 AND S2' LT 1 BLK 12	RAITHER, ROBERT R-JANE A	203 \$209.00
		93		
				Total \$8,043.00

RESOLUTION NO. 17-286

WHEREAS, City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height;

and

WHEREAS, all property owners in Council Bluffs were notified of the above requirements by ordinance and by publication in the Council Bluffs Nonpareil.

and

WHEREAS, the owner of each specific property was notified by regular mail and given at least seven (7) days to abate the nuisance;

and

WHEREAS, the City, through its contractor, has attempted to cut or destroy all weeds exceeding 18 inches in height found upon property where the owners have failed to cut or destroy the weeds themselves;

and

WHEREAS, more than ten days have elapsed since the City has billed each property owner by mail for the cost of removing the weeds from their properties;

and

WHEREAS, the cost of weed abatement on these properties has been incurred by the City and remains unpaid;

and

WHEREAS, the City Council may have these unpaid costs assessed against the properties from which the weeds were removed pursuant to Section 4.19.010 or 8.54.010 of the Municipal Code of the City of Council Bluffs, Iowa, and Section 364.12(3) (g) and (h) of the State Code of Iowa:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

That the unreimbursed costs incurred by the City for the abatement of weeds found upon the properties be assessed against said properties;

and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized, empowered and directed to certify said properties and assessments to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED AND APPROVED

BY: \_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter

Resolution 17-287

Council Action: 12/18/2017

### Description

Resolution authorizing the Mayor to execute an offer to buy properties located at 1319 and 1321 5th Avenue. (Location: 1319 and 1321 5th Avenue)

### Background/Discussion

In 1998, the City adopted a Neighborhood Revitalization Strategy Area (NRSA) which outlined the City's goals for the Mid-City Corridor. This included acquisition of properties in the area from Avenue G to 6<sup>th</sup> Avenue and 9<sup>th</sup> Street to the Indian Creek channel. Currently the City owns 29.87 acres in Mid-City with plans for park space, open space and redevelopment.

The owner of 1319 and 1321 5<sup>th</sup> Avenue (BJA Investments) is interested in selling his property. Because of the location adjacent to existing city-owned land, this acquisition would assemble a half-block of land and give additional access to the Indian Creek channel.

An appraisal was completed valuing the properties at \$151,100. This includes a small house, a commercial building and a gravel lot. The City will demolish the structures.

A resolution has been prepared authorizing the acquisition of the property in the amount of \$151,100. Total cost of acquisition and demolition is estimated at \$225,000. Community Development Block Grant (CDBG) funds from the US Housing and Urban Development Department (HUD) will be used for all costs.

Demolition of the property will occur within 60 days of closing and said costs will be the responsibility of the City.

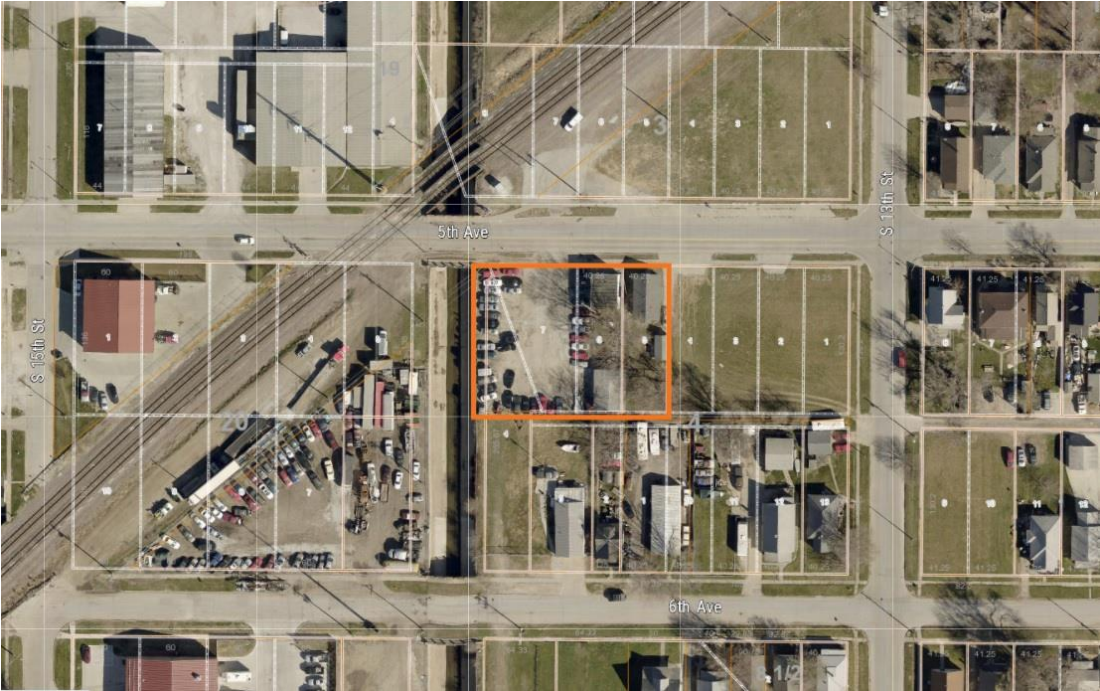
### Recommendation

The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to execute the real estate contract and other related closing documents to acquire 1319 and 1321 5<sup>th</sup> Avenue for \$151,100 as part of the Mid-City Corridor Project.

### ATTACHMENTS:

Description	Type	Upload Date
1319 and 1321 5th Ave Acquisition Map (12-18-17) CC	Resolution	12/7/2017
Resolution 17-287	Resolution	12/12/2017

**1319 and 1321 5<sup>th</sup> Avenue**



**RESOLUTION NO. 17-287**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN OFFER TO BUY PROPERTIES LOCATED AT 1319 AND 1321 5<sup>th</sup> AVENUE.**

- WHEREAS,** the City wishes to acquire the properties owned by BJA Investments located at 1319 and 1321 5<sup>th</sup> Avenue; and
- WHEREAS,** said property is located along Mid-City Corridor and is close proximity of other City properties which are adjacent to the Indian Creek Channel and proposed for redevelopment; and
- WHEREAS,** the properties can be acquired voluntarily for \$151,100; and
- WHEREAS,** the City will utilize Community Development Block Grant (CDBG) funds for the acquisition and demolition of the properties; and
- WHEREAS,** that this City Council finds that the acquisition of said parcels would be in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE CITY COUNCIL**

**OF THE**

**CITY OF COUNCIL BLUFFS, IOWA:**

That the Mayor is hereby authorized and directed to execute the real estate contract and other related closing documents to acquire the properties locally known as 1319 and 1321 5<sup>th</sup> Avenue.

ADOPTED

AND

APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh

Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush,

City Clerk

**Attachment A**  
**Legal Descriptions**

1. 1319 5<sup>th</sup> Avenue  
Lot 5, Block 4, McMahon, Cooper and Jefferis Addition.
  
2. 1321 5<sup>th</sup> Avenue  
All of Lot 7, Block 4, McMahon, Cooper and Jefferis Adidtion, and all that part of the North  $\frac{1}{2}$  of Block 20  $\frac{1}{2}$  Everett's Addition to the City of Council Bluffs that lies Southeasterly of the aforesaid Southeast line of Union Avenue, Southerly of the aforesaid South line of Fifth Avenue, and Northerly of and adjacent to the Westerly extension of the South line of aforesaid Lot 7, Block 4, and the North  $\frac{1}{2}$  of the East-West vacated alley abutting Lots 6 and 7, Block 4, McMahon, Cooper and Jefferis Addition.

## Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter

Resolution 17-288

Council Action: 12/18/2017

### Description

Resolution authorizing the Mayor to execute an offer to buy property located at 1212 17th Avenue, owned by Elvin Griffis (deceased), legally described Lots 9 and 10 and the East 1/2 of the vacated alley abutting on the West and the West 1/2 of the vacated alley abutting on the East lying South of the Railroad. (Location: 1212 17th Avenue)

### Background/Discussion

In the 1990s, the City began acquiring land adjacent to the Katelman Pool for the construction of the Sunset Park Subdivision. Since then, over 120 new housing units have been constructed in the subdivision and surrounding Malloy Subdivision.

The family of the owner of 1212 17<sup>th</sup> Avenue (Elvin Griffis, deceased) is interested in selling his property. Because of the location adjacent to the Sunset Park and Malloy Subdivisions, the City wishes to acquire the property, demolish the existing structures and construct a new single-family home that will be sold to a family at or below the median family income. The 1200 block between 16<sup>th</sup> and 17<sup>th</sup> Avenue already has 5 newer construction homes and this acquisition will add to the area's development.

An appraisal was completed valuing the property at \$52,500.

A resolution has been prepared authorizing the acquisition of the property in the amount of \$52,500. Total cost of acquisition and demolition is estimated at \$100,000. Community Development Block Grant (CDBG) funds from the US Housing and Urban Development Department (HUD) will be used for all costs. Demolition of the property will occur within 60 days of closing and said costs will be the responsibility of the City.

### Recommendation

The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to execute the real estate contract and other related closing documents to acquire 1212 17<sup>th</sup> Avenue for \$52,500.

### ATTACHMENTS:

Description	Type	Upload Date
1212 17th Ave Acquisition Map (12-18-17) CC	Resolution	12/7/2017
Resolution 17-288	Resolution	12/12/2017

**1212 17<sup>th</sup> Avenue**



**RESOLUTION NO. 17- 288**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN OFFER TO BUY PROPERTY LOCATED AT 1212 17<sup>TH</sup> AVENUE, OWNED BY ELVIN GRIFFIS (DECEASED), LEGALLY DESCRIBED LOTS 9 AND 10 AND THE EAST ½ OF THE VACATED ALLEY ABUTTING ON THE WEST AND THE WEST ½ OF THE VACATED ALLEY ABUTTING ON THE EAST LYING SOUTH OF THE RAILROAD.**

- WHEREAS,** The City wishes to acquire the property owned by Mr. Elvin Griffis (deceased) generally located at 1212 17<sup>th</sup> Avenue and legally described as Lots 9 and 10 and the east ½ of the vacated alley abutting on the west and the west ½ of the vacated alley abutting on the east lying south of the railroad, Howard’s Addition, City of Council Bluffs, Pottawattamie County, Iowa; and
- WHEREAS,** said property is located adjacent to the Sunset Park and Malloy Subdivisions that have been redeveloped in recent years; and
- WHEREAS,** the property can be acquired voluntarily for appraised value of \$52,500; and
- WHEREAS,** the City will utilize Community Development Block Grant (CDBG) funds for the acquisition and demolition of the property; and
- WHEREAS,** the City will then work with a developer to construct a new single-family home that will be sold to a family at or below the median family income; and
- WHEREAS,** that this City Council finds that the acquisition of said parcel would be in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE CITY COUNCIL**

**OF THE**

**CITY OF COUNCIL BLUFFS, IOWA**

That the Mayor is hereby authorized and directed to execute the real estate contract and other related closing documents to acquire the property legally described as Lots 9 and 10 and the east ½ of the vacated alley abutting on the west and the west ½ of the vacated alley abutting on the east lying south of the railroad, Howard’s Addition, City of Council Bluffs, Pottawattamie County, Iowa.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Justin James, Fire  
Chief

Resolution 17-289

Council Action: 12/18/2017

### Description

Resolution to eliminate one Assistant Chief position and create a position of Deputy Chief (Fire Marshal) within the Council Bluffs Fire Department.

### Background/Discussion

Upon having a vacancy within the Fire Marshal's office of the rank of Assistant Chief it is the Department's recommendation that we create a new rank of Deputy Chief (Fire Marshal). In doing so it will allow the department to create a civil service test that is designed for the knowledge, skills, and abilities that are needed to fill such an important role within our city. The department has multiple personnel who are qualified to fill this role. Our desire is to separate this rank to ensure that we design a test in which determines the best individual to fill this role within our community. This position will be compensated using the Fire Supervisory Pay Scale: FS04 Grade: 08, Step 1. The same Pay Scale that is used for Assistant Chief.

### Recommendation

Approval of the Resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-289	Resolution	12/12/2017

RESOLUTION NO. 17-289

A Resolution authorizing the elimination of one Assistant Chief position and the creation of one Deputy Chief/Fire Marshal position within the Council Bluffs Fire Department.

WHEREAS, the Fire Department has one vacant Assistant Chief position assigned to the Fire Prevention Division as the Assistant Chief in charge of such Division; and

WHEREAS, the position of Fire Marshal is a unique and challenging position in which must be performed by an individual with specific knowledge, skills and abilities.

WHEREAS, the position of Fire Marshal is a crucial role which must be filled to ensure the ongoing compliance and enforcement of the Life Safety and Fire Code as adopted by this Council.

WHEREAS, the elimination of one Assistant Chief position and the creation of one Deputy Chief / Fire Marshal position with the Fire Department will not increase the authorized strength of the Fire Department.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That the authorized strength of the fire Department is hereby reduced by one (1) Assistant Chief position and increased by one (1) Deputy Chief / Fire Marshal position. The effective date of this action will be the date that notice is given to the Civil Service Commission of the elimination and creation of each position. This position will be compensated using the Fire Supervisory Pay Scale: FS04 Grade: 08, Step 1. The Mayor and Fire Chief are authorized and empowered to take the necessary actions required to effectuate this change.

**ADOPTED  
AND  
APPROVED**

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Water Works Board  
of Trustees

Resolution 17-290

Council Action: 12/18/2017

### Description

Resolution approving the Calendar Year 2018 Budget for the Council Bluffs Water Works.

### Background/Discussion

Chapter 384.2 of the Code of Iowa, requires the City Council to approve the Council Bluffs Water Works Budget by resolution.

On November 21, 2017, the Board of Water Works Trustees held a public hearing and adopted the Calendar Year 2018 Budget which begins on January 1, 2018.

### Recommendation

Respectfully request the City Council approve Resolution adopting the Council Bluffs Water Works Budget for 2018 as required by Iowa Code.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-290	Resolution	12/12/2017

RESOLUTION NO. 17-290

WHEREAS, Chapter 384.2 of the Code of Iowa requires the City Council to approve the Council Bluffs Water Works budget by resolution, and

WHEREAS, On November 21, 2017, the Board of Water Works Trustees held a public hearing and adopted their Calendar Year 2018 budget which begins on January 1, 2018.

NOW, THEREFORE, BE IT RESOLVE

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That this City Council hereby approves the Calendar Year 2018 budget as heard and adopted by the Board of Water Works Trustees and authorizes the City Clerk to file this budget with the Pottawattamie County Auditor.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
CITY CLERK

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 17-291

Council Action: 12/18/2017

### Description

Resolution approving the Annual Financial Report year ending June 30, 2017.

### Background/Discussion

The annual financial report for the city of Council Bluffs for the year ending June 30, 2017 was published in the Council Bluffs Daily Nonpareil on November 30, 2017.  
The City of Council Bluffs is required to submit its Annual Financial Report with the Auditor of the State of Iowa.

### Recommendation

Approval of the Annual Financial Report

### ATTACHMENTS:

Description	Type	Upload Date
Annual Financial Report	Resolution	12/7/2017
Resolution 17-291	Resolution	12/12/2017

STATE OF IOWA  
2017  
FINANCIAL REPORT  
FISCAL YEAR ENDED  
JUNE 30, 2017

16207800400000  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, Iowa 51503-0826

CITY OF COUNCIL BLUFFS, IOWA

ALL FUNDS

Item description	Governmental (a)	Proprietary (b)	Total actual (c)	Budget (d)
<b>Revenues and Other Financing Sources</b>				
Taxes levied on property	42,053,704		42,053,704	42,326,691
Less: Uncollected property taxes-levy year	0		0	0
<b>Net current property taxes</b>	42,053,704		42,053,704	42,326,691
Delinquent property taxes	0		0	0
TIF revenues	3,596,130		3,596,130	3,601,200
Other city taxes	19,121,317	0	19,121,317	19,732,091
Licenses and permits	5,169,186	0	5,169,186	4,342,669
Use of money and property	991,727	7,485	999,212	940,200
Intergovernmental	34,459,168	1,000	34,460,168	30,726,617
Charges for fees and service	7,431,444	12,137,261	19,568,705	19,620,340
Special assessments	171,893	0	171,893	176,000
Miscellaneous	6,211,057	34,710	6,245,767	7,922,587
Other financing sources	31,125,572	5,774,394	36,899,966	27,480,240
<b>Total revenues and other sources</b>	150,331,198	17,954,850	168,286,048	156,868,635
<b>Expenditures and Other Financing Uses</b>				
Public safety	32,968,571	0	32,968,571	33,667,628
Public works	11,513,841	0	11,513,841	10,878,453
Health and social services	583,813	0	583,813	648,846
Culture and recreation	11,091,267	0	11,091,267	12,414,744
Community and economic development	4,894,430	0	4,894,430	7,126,614
General government	13,879,931	0	13,879,931	12,825,913
Debt service	9,377,721	0	9,377,721	9,377,244
Capital projects	31,623,967	0	31,623,967	31,468,989
<b>Total governmental activities expenditures</b>	115,933,541	0	115,933,541	118,408,431
Business type activities	0	14,395,482	14,395,482	16,175,339
<b>Total ALL expenditures</b>	115,933,541	14,395,482	130,329,023	134,583,770
Other financing uses, including transfers out	21,278,566	0	21,278,566	18,208,337
<b>Total ALL expenditures/And other financing uses</b>	137,212,107	14,395,482	151,607,589	152,792,107
<b>Excess revenues and other sources over (under) Expenditures/And other financing uses</b>	13,119,091	3,559,368	16,678,459	4,076,528
Beginning fund balance July 1, 2016	46,846,207	156,343,148	203,189,355	204,793,107
Ending fund balance June 30, 2017	59,965,298	159,902,516	219,867,814	208,869,635
<b>Note</b> - These balances do not include \$0 held in non-budgeted internal service funds; \$0 held in Pension Trust Funds; \$0 held in Private Purpose Trust Funds and \$0 held in agency funds which were not budgeted and are not available for city operations.				
Indebtedness at June 30, 2017				
General obligation debt	\$43,980,000	Other long-term debt		\$5,977,443
Revenue debt	\$4,412,020	Short-term debt		\$0
TIF Revenue debt	\$4,743,175	General Obligation Debt Limit		\$232,945,409

**RESOLUTION NO. 17-291**

A Resolution approving the Annual Financial Report for the City of Council Bluffs.

**WHEREAS**, the City of Council Bluffs is required to file the Annual Financial Report for the year ending June 30, 2017 with the Office of Auditor of State of Iowa.

**WHEREAS**, the annual financial report was prepared by the Finance Department and published in the Council Bluffs Daily Nonpareil,

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE CITY COUNCIL**

**OF THE**

**CITY OF COUNCIL BLUFFS, IOWA:**

That the City of Council Bluffs approves the Annual Financial Report for the year ending June 30, 2017.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh,

Mayor

\_\_\_\_\_  
Jodi Quakenbush,

City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW16-06A  
Submitted by: Matthew Cox, City  
Engineer

Resolution 17-292

Council Action: 12/18/2017

### Description

Resolution approving Change Order #3 adding \$17,100.00 to the contract amount for the Levee Certification Project, Geotechnical MR\_2. Project # FY 16-06A.

### Background/Discussion

The City of Council Bluffs owns or sponsors multiple levee segments which encompass the City Federal Levee System, providing flood protection from the Missouri River, Mosquito Creek, and Indian Creek. These levee systems are currently shown on FEMA floodplain maps as being accredited and are identified as providing protection from the 100-year flood or 1% annual chance flood event.

In order to maintain the level of protection identified on the FEMA Flood Insurance Rate Map, it is necessary to provide documentation to FEMA that complies with the requirements of 44 CFR 65.10. If the levees are not certified, they will be de-accredited and FEMA will begin the process of updating maps. Areas previously protected by the levees will be identified as flood-prone. In order to meet the criteria for levee certification, improvements to each of the levee systems will be necessary. The purpose of the Geotechnical MR\_2 project is to resolve seepage deficiencies along the Missouri River levee. The project modifies an existing relief well system with piping to lower the head of each well, improves a drainage channel, and provides a sump structure for ground water pumping.

In order to modify the existing wells, the grout material around the top of each well must be removed. During construction, it was determined that 7 out of 19 existing wells were constructed with excess material that is over four times the amount shown in the as-built records. Because the material lies beneath the ground surface, the condition was not identified until the work began. The changed condition was unforeseen and the contractor has requested additional payment because of the added work required to complete the removals. Without this modification to the project, the work cannot be completed and the requirements for certification will not be satisfied.

Change Order #1 which added \$10,003.56 for additional video inspection and testing of the non-passing wells and for a modification to the well abandonment procedure, was previously executed.

Change Order #2 which added \$152,672.47 for the replacement of four relief wells, USACE requirements associated with dewatering, and a repair to the levee trail was previously approved by Resolution No. 17-180.

Change Order #3 will add \$17,100.00 to the total project cost. The previous change order exceeded the threshold for approval by the Mayor, requiring all subsequent changes to be approved by City Council.

The revised total for the project will be \$937,195.90 including C.O. #1, #2, and #3.

The FY16 CIP included \$1,695,000 funded by the Iowa Flood Mitigation Program and \$3,305,000 in Sales Tax Funds programmed for levee improvements. The budget for this project was \$960,000.

**Recommendation**

Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-292	Resolution	12/12/2017

**RESOLUTION  
NO. 17-292**

**RESOLUTION APPROVING CHANGE ORDER #3  
FOR LEVEE CERTIFICATION PROJECT, GEOTECHNICAL MR\_2  
ADDING \$17,100.00 TO THE CONTRACT AMOUNT  
PROJECT #PW16-06A**

WHEREAS, Change Order #3 in the amount of \$17,100.00 has been submitted for approval in connection with Levee Certification Project, Geotechnical MR\_2; and

WHEREAS, said Change Order #3 will cover additional cost necessary to complete said project; and

WHEREAS, the City Council deems approval of said Change Order #3 to be in the best interest of the City of Council Bluffs.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That Change Order #3 by Neuvirth Construction, Inc. adding \$17,100.00 to the contract amount for the Levee Certification Project, Geotechnical MR\_2 is hereby approved.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: WHTIP-17-010

Resolution 17-293

Council Action: 12/18/2017

Submitted by: Brenda Carrico

### Description

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Gethsemane Gardens, LLC for Workforce Housing Tax Incentive Program (WHTIP) benefits on Lots 7 and 8, Gethsemane Gardens, Replat 1 and Lots 7 and 8, Gethsemane Gardens, Replat 2. (Location: west of Manawa Drive, along Wallace Avenue).

### Background/Discussion

The State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18. The purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted towards middle-income households and that focus on the redevelopment or repurposing of existing structures. This program replaced the Housing Enterprise Zone Program.

To receive workforce housing tax incentives pursuant to the program, a proposed housing project shall include at least one of the following:

- (1) Four or more single-family dwelling units.
- (2) One or more multiple dwelling unit buildings each containing three or more individual dwelling units.
- (3) Two or more dwelling units located in the upper story of an existing multi-use building.

The average dwelling unit cost cannot exceed \$200,000 per dwelling unit or \$250,000 per dwelling unit if the project involves the rehabilitation, repair, redevelopment or preservation of eligible property. This limitation only applies to those costs that are directly attributable to the improvement of the property or the structures and is defined in the Iowa Administrative Code.

Additionally, the WHTIP requires a city match pledge for each housing project in an amount equal to at least \$1,000 per dwelling unit, in the form of cash, cash equivalent, a local property tax exemption, rebate, refund or reimbursement.

Gethsemane Gardens, LLC has submitted a request for WHTIP benefits on four lots west of Manawa Drive, along Wallace Avenue. The units will be attached townhomes with two floor plans to choose from. One of the floor plans will be a ranch style home with a two-car garage and two bedrooms. The second floor plan will be one and a half story style with a two car garage and four bedrooms with an open loft that can be converted into a fifth bedroom. Both of the styles will have covered front and back porches and zero entries. They will likely be sold in a range of \$207,000 - \$210,000. The two-bedroom homes will have approximately 1,244 finished square feet and the four bedroom homes will have approximately 1,848 finished square feet.

The total project investment is \$732,864.00. The total financial workforce housing tax incentive available to the project is estimated to be between \$81,120.00 and \$94,406.40.

Based on review of the applicant's request, the project discussed above meets the requirements for Workforce Housing Tax Incentive Program benefits. As a result, the applicant is eligible for the following

benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.

The application fee of \$1,000 per dwelling unit will provide the \$4,000 needed to meet the local match requirement. Any final approval of this application is contingent upon the City receiving this cash for the project from the entity listed above.

**Recommendation**

The Community Development Department recommends approval of the Workforce Housing Tax Incentive Program application submitted by Gethsemane Gardens, LLC for:

- 1) Lot 7, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 2) Lot 8, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 3) Lot 7, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); and
- 4) Lot 8, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); all in the City of Council Bluffs, Pottawattamie County, Iowa.

**ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-193	Resolution	12/12/2017

**RESOLUTION NO.17-293**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND GETHSEMANE GARDENS, LLC FOR WORKFORCE HOUSING TAX INCENTIVE PROGRAM (WHTIP) BENEFITS ON LOTS 7 AND 8, GETHSEMANE GARDENS, REPLAT 1 AND ON LOTS 7 AND 8, GETHSEMANE GARDENS, REPLAT 2.**

**WHEREAS,** the State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and

**WHEREAS,** the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and

**WHEREAS,** Gethsemane Gardens, LLC proposes to construct four townhome units and has requested WHTIP benefits; and

**WHEREAS,** the projects are eligible for WHTIP under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a distressed workforce housing community (Greenfield Development);” and

**WHEREAS,** the legal descriptions of the project locations are:

- 1) Lot 7, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue)
- 2) Lot 8, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue)
- 3) Lot 7, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue)
- 4) Lot 8, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); all in the City of Council Bluffs, Pottawattamie County, Iowa;

**WHEREAS,** the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$200,000 per dwelling unit; and

**WHEREAS,** the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and

**WHEREAS,** the City of Council Bluffs commits to local matching funds of \$1,000 cash per dwelling unit, as required by the program; and

**WHEREAS,** after review and consideration of the request, the City of Council Bluffs has determined that the Gethsemane Gardens, LLC project meets the requirements to qualify for benefits.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**Section 1.0** The City Council declares Gethsemane Gardens, LLC an eligible entity for WHTIP benefits.

**Section 2.0** The City Council approves the Gethsemane Gardens, LLC request for a 10% state investment tax credit and a 100% rebate of sales and utility use taxes subject to the entity entering into an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

**Section 3.0** The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

**Section 4.0** The provisions of this resolution shall be governed by the laws of the State of Iowa.

**Section 5.0** That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

**Section 6.0** That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 7.0** That the approval of any and all WHTIP benefits is contingent upon Gethsemane Gardens, LLC meeting all other applicable City codes and ordinances.

**Section 8.0** That this resolution shall become effective immediately upon its passage and approval.

ADOPTED  
AND  
APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

## Council Communication

Department: Community

Development

Case/Project No.: WHTIP-17-011

Resolution 17-294

Council Action: 12/18/2017

Submitted by: Brenda Carrico

### Description

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Gethsemane Gardens, LLC for Workforce Housing Tax Incentive Program (WHTIP) benefits on Lots 9 and 10, Gethsemane Gardens, Replat 1 and Lots 9 and 10, Gethsemane Gardens, Replat 2. (Location: west of Manawa Drive, along Wallace Avenue)

### Background/Discussion

The State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18. The purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted towards middle-income households and that focus on the redevelopment or repurposing of existing structures. This program replaced the Housing Enterprise Zone Program.

To receive workforce housing tax incentives pursuant to the program, a proposed housing project shall include at least one of the following:

- (1) Four or more single-family dwelling units.
- (2) One or more multiple dwelling unit buildings each containing three or more individual dwelling units.
- (3) Two or more dwelling units located in the upper story of an existing multi-use building.

The average dwelling unit cost cannot exceed \$200,000 per dwelling unit or \$250,000 per dwelling unit if the project involves the rehabilitation, repair, redevelopment or preservation of eligible property. This limitation only applies to those costs that are directly attributable to the improvement of the property or the structures and is defined in the Iowa Administrative Code.

Additionally, the WHTIP requires a city match pledge for each housing project in an amount equal to at least \$1,000 per dwelling unit, in the form of cash, cash equivalent, a local property tax exemption, rebate, refund or reimbursement.

Gethsemane Gardens, LLC has submitted a request for WHTIP benefits on four lots west of Manawa Drive, along Wallace Avenue. The units will be attached townhomes with two floor plans to choose from. One of the floor plans will be a ranch style home with a two-car garage and two bedrooms. The second floor plan will be one and a half story style with a two car garage and four bedrooms with an open loft that can be converted into a fifth bedroom. Both of the styles will have covered front and back porches and zero entries. They will likely be sold in a range of \$207,000 - \$210,000. The two-bedroom homes will have approximately 1,244 finished square feet and the four bedroom homes will have approximately 1,848 finished square feet.

The total project investment is \$732,864.00. The total financial workforce housing tax incentive available to the project is estimated to be between \$81,120.00 and \$94,406.40.

Based on review of the applicant's request, the project discussed above meets the requirements for Workforce Housing Tax Incentive Program benefits. As a result, the applicant is eligible for the following

benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.

The application fee of \$1,000 per dwelling unit will provide the \$4,000 needed to meet the local match requirement. Any final approval of this application is contingent upon the City receiving this cash for the project from the entity listed above.

### **Recommendation**

The Community Development Department recommends approval of the Workforce Housing Tax Incentive Program application submitted by Gethsemane Gardens, LLC for:

- 1) Lot 9, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 2) Lot 10, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 3) Lot 9, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); and
- 4) Lot 10, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); all in the City of Council Bluffs, Pottawattamie County, Iowa.

### **ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-294	Resolution	12/12/2017

**RESOLUTION NO.17-294**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND GETHSEMANE GARDENS, LLC FOR WORKFORCE HOUSING TAX INCENTIVE PROGRAM (WHTIP) BENEFITS ON LOTS 9 AND 10, GETHSEMANE GARDENS, REPLAT 1 AND ON LOTS 9 AND 10, GETHSEMANE GARDENS, REPLAT 2.**

**WHEREAS,** the State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and

**WHEREAS,** the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and

**WHEREAS,** Gethsemane Gardens, LLC proposes to construct four townhome units and has requested WHTIP benefits; and

**WHEREAS,** the projects are eligible for WHTIP under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a distressed workforce housing community (Greenfield Development);” and

**WHEREAS,** the legal descriptions of the project locations are:

- 1) Lot 9, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 2) Lot 10, Gethsemane Gardens, Replat 1 (west of Manawa Drive, along Wallace Avenue);
- 3) Lot 9, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); and
- 4) Lot 10, Gethsemane Gardens, Replat 2 (west of Manawa Drive, along Wallace Avenue); all in the City of Council Bluffs, Pottawattamie County, Iowa;

**WHEREAS,** the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$200,000 per dwelling unit; and

**WHEREAS,** the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and

**WHEREAS,** the City of Council Bluffs commits to local matching funds of \$1,000 cash per dwelling unit, as required by the program; and

**WHEREAS,** after review and consideration of the request, the City of Council Bluffs has determined that the Gethsemane Gardens, LLC project meets the requirements to qualify for benefits.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**Section 1.0** The City Council declares Gethsemane Gardens, LLC an eligible entity for WHTIP benefits.

**Section 2.0** The City Council approves the Gethsemane Gardens, LLC request for a 10% state investment tax credit and a 100% rebate of sales and utility use taxes subject to the entity entering into an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

**Section 3.0** The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

**Section 4.0** The provisions of this resolution shall be governed by the laws of the State of Iowa.

**Section 5.0** That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

**Section 6.0** That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 7.0** That the approval of any and all WHTIP benefits is contingent upon Gethsemane Gardens, LLC meeting all other applicable City codes and ordinances.

**Section 8.0** That this resolution shall become effective immediately upon its passage and approval.

ADOPTED  
AND  
APPROVED:

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me the undersigned, a Notary Public in and for said County and State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by: Jon Finnegan

Resolution 17-295

Council Action: 12/18/2017

### Description

Resolution confirming the appointment of Jon Finnegan as the City's Representative to engage in collective bargaining negotiations with the Communications Workers of America employees.

### Background/Discussion

The Agreement by and between the Communications Workers of America expires June 30, 2018.

### Recommendation

It is the recommendation of the Mayor that Jon Finnegan be appointed the City's Representative to negotiate on its behalf.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-295	Resolution	12/12/2017

**RESOLUTION NO. 17-295**

**A RESOLUTION CONFIRMING THE APPOINTMENT OF JON FINNEGAN AS THE CITY'S REPRESENTATIVE TO ENGAGE IN COLLECTIVE BARGAINING NEGOTIATIONS WITH THE COMMUNICATION WORKERS OF AMERICA (AFL/CIO).**

**WHEREAS,** It is the recommendation of the Mayor that Jon Finnegan be appointed the City's Representative to negotiate on its behalf; and

**WHEREAS,** The Agreement by and between the Communications Workers of America (AFL/CIO) expires June 30, 2018;

**WHEREAS,** It is in the best interest of the City of Council Bluffs to appoint Jon Finnegan as the City's Representative.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That upon the recommendation of the Mayor, the appointment of Jon Finnegan as the City's Representative is hereby confirmed and ratified.

ADOPTED  
AND  
APPROVED

December 18, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

**Instructions on the reverse side**

For period (MM/DD/YYYY) 1/1/18 through June 30, 18

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Generation V

Physical Location Address 2015 W Broadway Bay City Council Bluffs State IA ZIP 51501

Mailing Address 1701 O St. 1st Floor City Lincoln State NE ZIP 68508

Business Phone Number 760 429 8585

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor  Partnership  Corporation  LLC  LLP

Name of sole proprietor, partnership, corporation, LLC, or LLP Generation V, Inc.

Mailing Address 1701 O St. 1st Floor City Lincoln State NE ZIP 68508

Phone Number 760 429 8585 Fax Number \_\_\_\_\_ Email Sarah @ generationv.com

**Retail Information:**

Types of Sales: Over-the-counter  Vending machine

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes  No

Types of Products Sold: (Check all that apply)

Cigarettes  Tobacco  Alternative Nicotine Products  Vapor Products

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store  Bar  Convenience store/gas station  Drug store

Grocery store  Hotel/motel  Liquor store  Restaurant  Tobacco store

Has vending machine that assembles cigarettes  Other

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Sarah Linden

Name (please print) \_\_\_\_\_

Signature [Signature]

Signature \_\_\_\_\_

Date 12/5/17

Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$50.00
- Fill in the date the permit was approved by the council or board: 12.18.17
- Fill in the permit number issued by the city/county: 559954
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New  Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

CLERK RCUE  
21 NOV 17  
PM 4:03

To: Whom It may Concern:

I would like to be put on the next council meeting about the tree removal payments that has been made. I would like the remaining balance be wiped away (paid off) if possible we have been making payments since 2001 and the amount was first at \$8,000 and now it's really a low amount now.

my total:  
\$5,439.04 paid

thank you,  
Shirley Lindner

11-18-2017

Bal. I have is  
\$2,475.00 want to be  
paid in full

hm. #  
7123665906

